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MEMORIAL

TO THE

NEW-YORK SENATE & ASSEMBLY,

BY

SUNDRY INHABITANTS OF THE TOWN OF LEBANON, MADISON COUNTY.

CONTAINING

A Defence of the Constitution of this State,

IN A VIEW OF THE

PLANS AND PROCEEDINGS OF THE NEW-YORK STATE TRACT SOCIETY AND JOHN V. N. YATES, ESQ. SECRETARY OF STATE AND ACTING SUPERINTENDENT OF COMMON SCHOOLS,

WITH AN

Appendix,

IN CONTINUATION OF THE SUBJECT,

AND

ACCOMPANYING DOCUMENTS.

ALSO

The Report of the Committee on Literature in the Senate, upon the Memorial, &c.

AND

CONCLUDING REMARKS.

HAMILTON, N. Y.

PRINTED BY J. P. VAN SICE, & CO.

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To the Public.

It was intended that the following documents should have been laid before the people last spring; but the delay has been unavoidable, owing to the interference of individual concerns with the leisure which the committee found necessary to prepare a second copy for the press. But our subject is not the matter of a moment—it is not confined to this year or the next. The most essential facts should not soon be forgotten, and the principles which the facts illustrate, will endure and apply, while a shred is left upon the standard of American Freedom. REPUBLICANS of every class—who are worthy of the name;—we request an attentive perusal.

Lebanon, December, 1825.

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MEMORIAL.

Presented in Senate, Jan. 31, 1825.

To the Honourable the Senate and Assembly of the State of New-York.

THE memorial of the undersigned, inhabitants of the town of Lebanon, RESPECTFULLY REPRESENTS—

That certain documents relating to common schools were, in the months of July and August last transmitted to the people of this state, through the officers of their common schools by John V. N. Yates, Esq. Secretary of State and acting Superintendent of Common Schools; which documents, upon due examination, your memorialists are alarmed to find, highly dangerous in their nature and tendency, and, as they conceive, plainly repugnant to the constitution of this state.

The documents referred to, are

1st. A Circular (marked A) dated Albany July 30, 1824, and addressed to "Commissioners, Inspectors and Trustees of Common Schools throughout the State."

In this Circular, the acting Superintendent refers to another circular, addressed to the same officers in the month of June previous, "advising the introduction of *Tracts* into all our common schools.—The circular of June, to which he refers, has never reached us. The object of the circular of July 30, is evidently to recommend and distribute to each school in the state, a tract, entitled "The Pensioner and his daughter Jane," transmitted by the New-York State Tract Society, and upon the cover of which the circular is printed.—We may add, that upon the cover of the same Tract, is to be found a "Plan of a register of merit" and of the mode of using Tracts as *premiums* in a common school, together with an account of the Celebration at Salem, proposed as a model for imitation,—a note, suggesting a new mode of raising money to purchase *premiums* for the scholars, by selling tickets of admission to the spectators at Celebrations—and an advertisement of the Tract Society, briefly stating, that *they* expect to furnish the *tracts* and other *reward books* for the use of the schools, at certain prices.

2d. A "Circular" (marked B) dated Albany August 1, 1824, addressed "to the Commissioners, Inspectors, Trustees and Teachers of Common Schools, and to the Town Clerks and District Clerks throughout the State." The object of this circular is to transmit "the accompanying Instructions for establishing Common School Celebrations in the several towns in this state;"—to recommend the Plan of Celebrations and continue his advice that the *Tracts* be used in the schools and at these Celebrations as *premiums* for scholarship and behaviour; and also to propose several methods of raising money to purchase *premiums* and *reward books*.

3d. "Instructions for establishing Common School Celebrations" accompanying the last mentioned Circular, and bearing the same date. (Marked C)

These Circulars and Instructions are all signed "J. V. N. YATES *Acting Superintendent of Common Schools*," and the Circulars are headed officially "STATE OF NEW-YORK, SECRETARY'S OFFICE."

A copy of each said Circulars, Instructions and Tract is herewith respectfully presented.

These communications appear to your memorialists to infringe two distinct sections of the constitution.

1st. The "INSTRUCTIONS" of the acting Superintendent, "for establishing common school celebrations," contain, as we humbly conceive, a direct violation of the 1st Section of the 1st Article of the Constitution, which reads thus, "The legislative power of this state, shall be vested in a Senate and an Assembly."

Your memorialists pretend not to be technical expounders of law;—yet we beg leave to observe, that the constitution and laws are addressed to every class of freemen, and we may surely be permitted to express our opinions as to the true intention and meaning—the *common sense of law*.

It appears to the humble opinion of your memorialists, that by the word *laws*, involved by the constitution in the phrase, "legislative power," we are rationally to understand those *original rules of action, decrees* or *statutes*, to which immediately, under the constitution, every officer of government is to look for guidance and direction in the duties of his office, and which, being consistent with the constitution, he is bound to obey.

The Senate and Assembly constitute the exclusive organ for establishing these rules.

Without inquiring how far the legislative body may have power to delegate subordinate powers of legislation, your memorialists, in reflecting upon this intricate subject, would respectfully observe, that one principle appears to be clear,—that the power of *making original rules of action* and the power of *executing them* are distinct powers, not allowed by our constitution to exist at once in the same office; that however an executive or judicial officer may not find every thing in a law, which he may think necessary to render the law complete, yet *he* has no right to make the additional provisions.—The sacred powers of legislation belong to the Senate and Assembly alone, and although they may, through oversight or inadvertence, or even intentionally delegate to him unlimited and discretionary power; yet, in using that power, even for beneficial purposes, *he* can never be the constitutional framer of *original law*. There is a limit beyond which, though clothed with the most discretionary powers, he can never pass,—and that limit is, *the most plain and evident intent and meaning of the law* before him.

This intent and meaning of the law must, in our humble opinion, be *the intention and meaning of the framers themselves*, and cannot include any rule or *construction* which could not have been known to them, or within their reach or consideration at the time of making the law;—and no *new feature* could ever be implanted upon the law afterwards, without their sanction or consent.

This principle appears to your memorialists to be plainly recognized in the second Section of the "Act for the support of common schools," the example of which we shall soon have occasion to cite. If we understand the constitution, the grand features of the law must be drawn by the Senate and Assembly, though the finer shades and touchings of varied application may be laid on by the expositor.

Your memorialists now beg leave to turn to these Instructions, the character of which, in our humble view, appears thus :—

The subject matter of the Instructions could not have been known to the framers of the law. The plan appears to have originated within a year with the Rev. Dr. Proudfit of Salem ;—to have been communicated by him to the New-York State Tract Society ;—by them, with high recommendations, to the acting superintendent of common schools, and by him promulgated to the people as *law*, in the manner before us.

They contain as leading, as original and as prominent rules of action, as the "Act for the support of common schools," and some of them contain more distinct features of *law* than many provisions of real statute.

They establish a new kind of school districts for special purposes.—They constitute a new board of officers for special purposes. They give new powers to the commissioners. They give new powers to the inspectors. They impose new duties upon the town clerks. They impose new duties upon the district clerks. They impose new and special duties upon the teachers, in order to make them subordinate to the purposes of these new districts.

Where a district lies in two or more towns, they pretend to dispense the privilege of *choice* to the trustees, as to which of the new districts they will belong.

These instructions are not, in our humble view, subordinate applications of the law. They are not "necessary and proper" for carrying that law into effect. If admissible, they constitute one of those "plans or the better organization of common schools," contemplated in the 2d Section of the Act, which the superintendent is required "to digest and prepare and report to the legislature" for their deliberation and decision.

Your memorialists are ready to admit, that to us, the 38th Section of the "Act for the support of Common Schools," appears to be somewhat indefinite and obscure as to the extent of power intended to be delegated to the superintendent, relative to *Instructions*.—He is there directed, with other duties, to cause "Such instructions as shall be thought necessary and proper for the better government and organization of common schools, to be printed, published and distributed among the several school districts in this state in such manner as he shall deem proper." Whether, in the expression, "*shall be thought necessary and proper*," an obscurity was intended, to operate as a check upon the power of the superintendent, your memorialists confess themselves unable to determine :—But in the 2d Section, there are abundant checks, which in our humble opinion, leave the acting superintendent in this case, wholly without excuse for this exercise of arbitrary power.—There, his duty is plainly confined to certain limits :—There, he is directed to "digest and prepare and *report to the legislature* plans for the better organization of common schools,"—and against, it is made his duty "to perform all such services relative to the welfare of common schools, *as he shall be directed to perform.*"

It is idle for the acting Superintendent to pretend that these Instructions were "necessary and proper" to fulfil the provisions of the act.—

There is in our humble opinion, no such necessity or propriety.—We might observe, upon the first article of his Instructions, that the farthest territorial limits of organization prescribed by the act, are those of *school districts* to be formed and regulated *as the law directs*, and there is not the most distant hint in the act, that a scholar is ever required or even *invited* to pass the limits of his own district. Similar remarks might be made upon the rest of his Instructions.

It appears to your memorialists, that the acting Superintendent has, from the supposition that his powers are undefined, assumed the right of making *amendments to the act.*—If we admit this principle of innovation, there is, in our humble opinion, no difference between *making* laws and *expounding* them. The 1st Section of the Constitution is a mere shadow.

Whatever is tyranny or usurpation in the view of common sense, must surely be so in the view of our excellent constitution, which evidently means to guard against improper legislation in every shape. To suppose, even that the Senate and Assembly themselves can delegate their power of legislation, or of making *new* or *original rules of action*, to any individual whatever, is, in our humble view, revolting to the most plain dictates of reason and reflection.—This principle of loose construction is without bounds—it not only gives power to an individual to make laws, but it gives power to delegate power to others to make laws at discretion; it would make our executive list, from the Governor to the pathmaster, a mere gradation of despots:—admitting for a moment, this monstrous latitude,—our "Constitution," to use the style of the learned Marshall, the pride and ornament of our national court, "would be nothing but a splendid bauble;—magnificent indeed to look at, but totally unfit for use."

Surely the acting Superintendent will not tell us, that he only meant to give *advice*. The terms of power and direct command, so freely dealt out upon the face of these Instructions, leave no doubt to your memorialists as to their meaning and intention. That he intended to have them received throughout the state as *Law*, or obligatory upon all those to whom his attending circular was directed, cannot be denied.

There is a remaining trait on this singular production, which your memorialists are surprised to see drawn by the hand of so polished and enlightened a character as the Secretary of this State and acting Superintendent of Common Schools—ought to be. It is found in the *Note* appended to his Instructions, where he tells us, "*that he expects a prompt and faithful compliance with them, and hopes to hear of no complaints to the contrary*"—and intimates at the same time, his power of deciding on APPEAL, in case his instructions are disregarded. We would here respectfully ask,—Did the framers of the amendment to the "Act for the support of common schools" (passed April 1822,) ever intend to give that superintendent or any other the power of deciding on APPEALS relating merely to *his discretionary instructions?* To suppose him possessed of this power, would be, in our humble opinion, to condense the whole

act into this monstrous clause, that THE ACTING SUPERINTENDENT SHALL BE THE SOLE LEGISLATOR AND SUPREME JUDGE OF THE WHOLE SYSTEM. This peremptory language of the Superintendent, attached to such instructions, in the very outset, must, in our humble view, be far from exciting, either complacency or respect, in the breasts of intelligent freemen.

In closing this division of our unpleasant subject, your memorialists cannot but pause a moment, to compare the Instructions before us, with those of Gideon Hawley Esq. the state Superintendent of Common Schools, published in 1819;—to contrast, in short, the vaporing and dogmatic features of the one, with the valuable and interesting matter, and modest and unassuming character of the other.

Your memorialists beg leave to consider the point established, that in issuing these Instructions, the acting Superintendent has not only disregarded, but directly violated the 1st Section of the 1st Article of the Constitution.

2dly. We consider all these circulars and instructions as clearly opposed to the 3d Section of the 7th Article of the Constitution, in their *spirit* and *details*.

The acting Superintendent had long since given us his decision as to the general course of studies to be pursued in common schools. We do not pretend to find fault with that decision, or to say that it is imperfect; but from the *Note* attached to his Exposition of the same date, (April 29, 1822.) it might have been rational to expect, that the "New Instructions" which he proposed "to issue in a short time, as to the course of studies to be pursued, and the books to be used in common schools," would at least have been *harmless*—that they might perhaps have added to the list, the interesting and increasingly popular study of English Grammar, and an attentive and intelligent perusal of our *state and national Constitutions*. These, together with the branches of reading, writing, arithmetic and geography, upon which he had decided, and history and stenography which he had recommended, would have formed a system of studies, useful and applicable to every class of our citizens, and impartially avoiding, in the exercise of *reading*, all articles which might disturb the peace of the rising community,—liable to no objections.

Little did we expect, after a lapse of two years' deliberation, to find his first *official recommendation* bestowed upon those exceptionable things, called *Tracts*, and we were astonished to find, that the first exercise of his more than questionable authority in the way of *Instructions*, was exclusively appropriated to the *establishment of religious exercises*, in the common schools of the state. We say *exclusively*, because it is futile to pretend, considering the scattered population of our country towns, and the unequal advantages for improvement arising from the differences of wealth and situation which frequently exist between various districts in the same town, and various scholars in the same district, that there can be any fair and equitable estimation of the relative merits of the youthful competitors; of course, there is little to expect from this system of public comparison, but unjust, invidious, and lasting distinctions among

the rising generation, unfounded in real merit, and utterly inconsistent with the spirit of our free institutions ; and it can not be pretended, that any material advances in education are to be made *at* these celebrations ; it is evident then, that the primary and exclusive objects of the celebrations are *parade* and *religious effect.* But, should a doubt still linger upon your honorable minds, as to the motives of the superintendent, your memorialists would respectfully wish to have it remembered, that those towns, which from any reason whatsoever, have no "*church or public place of divine worship,*" are not included in the instructions ;—that in both the late circulars, the *tracts,* (which are well known to emanate from certain religious sects or societies) are *officially* recommended for distribution at these celebrations as the *best premiums* for scholarship and behaviour that could be devised ;—that it was not sufficient for the superintendent to eulogize this plan, by speaking of the "formation of correct moral habits," "moral cultivation" and the tracts furnishing "*food for the heart ;*" but he enthusiastically calls the whole system "*the cause of God, and one which Providence will surely consecrate and prosper ;*" and finally, that the supreme attribute of being exalted above all praise, is bestowed upon the Rev. Dr. Alexander Proudfit, a distinguished Presbyterian clergyman, "*for taking the lead in this benevolent work.*"

Your memorialists here beg leave to drop a word upon the *Tracts,* so highly sustained by the *official* recommendations of the superintendent. They appear to consist frequently if not mostly of romances, having little or no foundation in facts, all bearing a religious character, and often containing an account of some extraordinary or miraculous conversion, generally wrought by the hands of some clergyman or missionary, or by some incident in which the tract society or its friends retain an appropriate share of credit. They are the creatures of that society, which may be easily and cheaply modelled and managed to suit the views of their framers, alternating fictions with passages from the Holy Scriptures, and pathetic exhortations. One hardly needs, in our humble opinion, a better illustration of the character given to these tracts, than a simple perusal of the Tract entitled "*The Pensioner and his daughter Jane,*" distributed by the New-York State Tract Society, through the hands and official patronage of the superintendent, as a "*specimen*" of the tracts with which they expect to furnish our common schools. In this view of their character and origin, it is evident to your memorialists, that their introduction into the common schools of the state under the sanction of the superintendent, is a transaction, pernicious in its nature and tendency, and dangerous in its consequences.

While in the spirit of our free constitution, your memorialists would never molest those devoted to the personal interests of the clergy, in distributing these religious and romantic tales, and experiments upon the passions, to those who choose to read them, and consider them as precious :—yet the moment we see their authors at the elbow of a public officer, endeavoring to crowd these works or their religious exercises upon us or our children, by the arm of authority ; we feel bound in behalf of ourselves and fellow citizens, to apprize the Honorable Sentinels of our

constitutional rights, that they may hail the intruder, and bid him to STAND.

Your memorialists humbly conceive, that in the whole of these circulars and instructions, the acting Superintendent has grossly violated the constitution of this state, by transgressing the 3d. Section of the 7th. Article, which is in these words, "The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all mankind; but the liberty of conscience hereby secured, shall not be so construed, as to excuse acts of licentiousness, or to justify practices inconsistent with the peace or safety of this state."

It appears plain to your memorialists, that this Section, like many others in the Constitution, has a complete control over every department of the government, and that its evident intention is not only to restrain the *laws*, *mandates* and *decrees* of the legislative, executive and judicial classes, but to blot out every *discriminating* or *preferring religious feature* from every *official recommendation* or other *official conduct* of a public officer.—To vary the point of view—*The powers and imposing characters of office* belong to the PEOPLE, and the PEOPLE delegate those powers and characters, under this express condition, that in using them, *there shall be no religious discrimination or preference.*

It has been truly observed, by a feeling and eloquent statesman,* that "It is on the rock of religious liberty, which lies, as a broad and deep substratum, under the United States of America, that their civil liberties are happily founded." "To dispense and to receive the blessings of an unshackled conscience," is not only the highest privilege of freemen, but it is absolutely necessary to the preservation of our individual rights and the permanence of our free institutions. The wise framers of our State Constitution showed, in penning this article, that the map of human nature was spread before them;—that the clashings of religious opinion would exist in a free state, and that to silence these clashings, or to give power to any sect of the combatants, however numerous, would be to abridge the liberties of a part of Community. They had abundant evidence from the page of history, that persecution, slavery, bloodshed and every crime that could disgrace human nature, had been sanctioned by the prostituted seals of religion, & that the clergy were not unfrequently found in the ranks of oppression, and by their learning, their counsels and intrigues, guiding and inspiring the unhallowed conflict with the friends of liberty. Indeed, we can not have language, which more clearly expresses a thorough sense of these considerations, than the words of the preamble, or reason given in the old constitution, for the article securing religious freedom. "And whereas," say the venerable authors of that instrument, "we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against *that spiritual oppression and intolerance, wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind:*" —of course, they resolved, that while they excluded *public officers* from

* Tench Coxe, Esq.—See Edinburgh Encyclopædia, Vol. 1. page 652.

being *officially teachers of religion*, they would exclude *official teachers of religion* from being *public officers*.

To apply the case—When John V. N. Yates, Esq. was made Secretary of State, the Constitution and his oath required that *as Secretary*, he should not be a discriminating or preferring teacher of religion, or in other words, that *as Secretary*, he should be no teacher of religion at all, and whenever he becomes the character which he has partly assumed, *the Reverend John V. N. Yates*, the constitution very kindly disburdens him of the Secretary's office. Again—Though invested at this time with the Secretary's office, he has an undoubted right, as simply *John V. N. Yates, Esq. a private citizen*, to "freely speak, write and publish his sentiments, on all subjects," including those of religion, yet the moment he applies the seals of *office* to promote the objects, interests or views of any sect or religious party, under any pretence whatever, he infringes the constitution.

Upon this point of so deep concern, your memorialists would respectfully add one suggestion.—Did the framers of our constitution, in enacting the 3d and 4th Sections of the 7th Article, intend to countenance or even tolerate the monstrous idea, that the clergy, while excluded from *open power*, should ever be admitted by any officer of State to the more dangerous station of *counsel and adviser*, and thus be enabled, by the usurpation of *indirect* authority, to produce all those paralizing effects upon our freedom, which their *direct* power might have established, and which the articles in question were evidently framed to prevent?

In vain will the Superintendent urge, that, in *officially* distributing tracts, and in attempting to delegate power to the Commissioners and Inspectors of common schools "*for establishing religious exercises*," at their discretion, he acted without discrimination or preference. Upon no ground can this position be defended, but by supposing that the Commissioners and Inspectors of Common Schools were capable of selecting an *indiscriminate and impartial religion*—an absurdity in its very terms. The only alternative then would be, to establish *a hydra of oppression*—a system of petty religious tyrannies, in every town of the state.

Did your memorialists say, *every town?*—No—The instructions only apply to "*each town containing a church or public place of divine worship.*" How will the Superintendent escape this charge of partiality? Will he tell us that he meant town houses, county houses, or other large commodious buildings? His words imply no such thing. The most natural meaning then must be, in our humble conception, to confine the celebrations to each town only, which has some clergyman to superintend and direct the morals and religious opinions of the children. In reading these Instructions, one would naturally suppose, that the Superintendent in his zeal, had actually mistaken the *Constitution of Massachusetts*, for the free and enlightened Charter of New-York.

But, considering the apparent object and pernicious tendency of these circulars and instructions, we are happy to find upon their very faces, abundant evidence of their partiality. Do not the Tracts emanate from a particular Religious Society or party? Are they not cal-

culated to increase the votaries, to enlarge the interests and to promote the views of that party? Can that officer pretend, that he is impartial, in selecting a Presbyterian Doctor of Divinity, as his best adviser in the acts of State? We ask no more proofs of his *partiality* :—But we would respectfully add one question.—Is it just,—is it consistent,—is it becoming the Secretary of this State, to take into his official cabinet a man, whom our Constitution wisely excludes from civil office ;—to use the pen of the people to exalt him to the heavens ;—to accept without reserve his plans and recommendations, objectionable and suspicious in their character and origin ;—to puff them before the intelligent citizens of a free state, and exclaim, in the arrogated language of unauthorized power, " *Go ye and do likewise ?*"

Your memorialists would now beg leave to advert to the specious pretences for these unconstitutional and arbitrary measures. These pretences are in various forms.

The zealous Secretary has not yet informed us respecting the " incalculably great benefits" that are to " result" from these celebrations and tracts :—neither has he detailed to us the particular advantages of the parade at Salem. The inquiring minds of a discerning people will not be satisfied with his dogma, that we " need not doubt its utility or success."

One specious argument is drawn from the beneficial effects of celebrations in colleges and academies. But to apply the principle, " other things being equal"—to render the comparison complete, we must suppose, on the one hand, the scholars of these colleges and academies to be thrown into the same diversified condition of unequal situations and advantages for improvement, with the members of common schools, and on the other hand, we must confine each common school celebration to one district alone. Upon the Superintendent's, or rather Dr. Proudfit's plan, the impossibility of a fair comparison is seen at once.

It is with pain, that your memorialists discover in these documents, a strange perversion of language. The expressions, " moral cultivation," " sacred duties," " benevolent cause" and " promotion of virtue," are dealt out with an unreserved hand, as if *they* could justify this unrighteous preparation for an ESTABLISHED RELIGION. How far the zeal of a civil officer in " the cause of God," in " the formation of correct moral habits" and " the encouragement of virtue," is consistent with his *forgetting that sacred obligation* which binds him to the constitution of his country, we can not but leave to the unbiassed conscience to determine. Such wild notions of morality and virtue may well suit the mind of a bigotted Ferdinand ; but to find them harbored for a moment, by a distinguished officer of an enlightened republic, is astonishing indeed!

The free investigation of this subject presents many considerations which we would willingly avoid. But an attachment to our beloved Constitution, and a sense of imperious duty to ourselves and to posterity, require, that while we treat all those concerned with a becoming decorum, we should use the most unhesitating frankness in the discussion of our common interests.

Far be it from your memorialists to present to your honorable body sectarian dissentions;—to disturb the *tenets*, or oppose the *people* of any denomination whatsoever. We are of various sects and denominations ourselves, and however we may differ in religious professions and worship, yet there is here one rallying point to which our energies are directed,—*the preservation of our religious freedom, unshackled by the influence or authority of civil power.*

Composed as your memorialists are, of various denominations of professed christians, we feel extremely delicate in arraigning here, any article of religious faith. Yet there is *one*, sometimes avowed, so inconsistent in its own character, and so evidently tending to "justify practices inconsistent with the peace or safety of this state," that we cannot do justice to our subject to pass it by unnoticed. The doctrine is this—that *ministers of the gospel ought to be considered as a distinct order in civil society, superior to other members of community, and that to contribute to their dignity and support, is a duty from which none can be exempt.* We trust, that your honorable body will perceive, that this belief, so dangerous in its tendency and consequences, is inconsistent even with the christian profession; for one prominent statute of its great Founder, the Lord Jesus Christ, thus declares,—"*My kingdom is not of this world.*" (John 18. 36.)—and again He commands, "*But be ye not called Rabbi: for one is your Master, even Christ; and all ye are brethren.*" (Matthew 23. 8.) Let it not be forgotten, that our happy Constitution recognizes this safe and glorious rule of Christianity, in restraining the ambition of its public teachers. This golden precept, if it can not be remembered, should be inscribed upon the border of every clergyman's garment, that "*Ministers of the gospel* OUGHT NOT *to be diverted from the great duties of their functions.*" The moment then, a Religion, called by the Christian name, is established by the hand of earthly power, it is not only denounced as *Antichristian* by the Supreme Legislature of real Christianity, but it is so considered by the Constitution of this State.

It is this spurious *Established Religion*, under various names, that has persecuted all sects and denominations but its own. This is the withering Simoom, which has so often blasted, on the fertile fields of civil life, every intellectual and moral plant—every cheering and refreshing shade of human sympathy and affection.

But though the heart of intolerance and tyranny is sometimes found in this happy land;—it still lives among us without fear or danger;—it breathes uninjured, the same pure air of freedom, and is continually taught by the inviting, the benevolent and ennobling examples of true republicans, the safe and benign influence of our free institutions.

In passing from the Superintendent to the instigators of his strange communications, your memorialists distinctly avow, that they would be far from pointing at any class of men as extraordinary or distinguished transgressors of the golden rule. Such is the acknowledged degeneracy of human nature, that every one is suspicious of those who have *interests* clashing with his own, and let those interests increase to a sufficient magnitude, the *suspicion* rises to a sense of *danger*. It becomes us then, as

members of an intelligent and improving republic, never to forget the undeniable fact—however the aspiring class may labor to conceal it,—that, in the long established and progressive organizations of society, there are TWO GREAT INTERESTS;—the *interest of the predominant portion of the clergy*, and the *interest of the people*.

We need not many proofs of this important truth. We need not repair to the wastes of antiquity—to see the engrossed lights of knowledge and refinement among the Egyptian priests, reflecting darkness and debasement upon the people,—or to view the imposing solemnities of the Pythian oracle, where the priests of Apollo rose to opulence and grandeur by the large contributions of the lower class. We need not leave this favored country, to traverse the enslaved lands of Europe and Asia, where Religious Establishments, from the Bramins of India to the Bishops of England, have drawn through every state and condition of society, the long, deep and degrading lines of division, between the clergy and the people. We need not go back to the first settlements and laws of Virginia, when "the poor Quakers were flying from persecution in England:"—when "they cast their eyes on these new countries as asylums of civil and religious freedom; but they found them free only for the reigning sect:"—when those chains of religious intolerance were forged, which bound the "ancient dominion" for more than 150 years. We need not advert to the happy and eventful period, when those chains were broken by the counsels of her patriotic and enlightened statesmen:—when the illustrious Jefferson, who dared to intimate, in the cause of religious and civil freedom,* that it affected not his rights, "for his neighbor to say there were twenty gods, or no God; it neither picked his pocket, nor broke his leg,"—was branded as an *infidel* by those bigotted and aspiring men, whose *interest* never could unite with the *interest of the people*.—We need not pass the few late years of our own remembrance, to the governments of Vermont and Connecticut, where a man was absurdly supposed to be born a Presbyterian, and must alienate

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* The words of Mr. Jefferson upon this subject (about 1782) form an elegant index to his enduring character as a statesman. They are worthy of record, *aere perennius*, upon tables of granite, to furnish and adorn every legislative hall in the union.

"Our rulers" he observes, "can have authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. *The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injustice for my neighbor to say, there are twenty Gods, or no God. It neither picks my pocket, nor breaks my leg.*" * * * * * *

"Was the government to prescribe to us our medicine and diet, our bodies would be in such keeping as our souls are now. Thus in France, the emetic was once forbidden as a medicine, and the potatoe as an article of food. Government is just as infallible too, when it fixes systems in physics. Galileo was sent to the inquisition for affirming, that the earth was a sphere. The government had declared it to be as flat as a trencher, and Galileo was obliged to abjure his error. This error, however, at length prevailed; the earth became a globe; and Descartes declared, it whirled round its axis by a vortex. The government in which he lived was wise enough to see that this was no question of civil jurisdiction, or we should all have been involved by authority in vortices. In fact, the vortices have been exploded, and the Newtonian principle of gravitation is now more firmly established, on the basis of reason, than it would be, were the government to step in, and make it an article of necessary faith. Reason and experiment have been indulged and error has fled before them. *It is* ERROR ALONE *which needs the support of government.* TRUTH CAN STAND BY ITSELF. Subject opinion to coercion, whom will you make your inquisitors? Fallible men; men governed by bad passions, by *private* as well as public reasons." *Notes on Virginia.*

this precious birthright only by a degrading certificate, if he wished to escape the demands of a rapacious clergy.—The Constitution of our sister Massachusetts, in its recent establishment, is a living testimony before our eyes, of the prevalence of *clerical interest*.—The tyrannical feature, drawn upon that constitution, and ratified by the people. *that every town shall be compelled to support a teacher of piety and morality*, is even at this enlightened day, a warning proof, that bigotry and a blindness of the people to their own *distinct interest*, have disgraced them as freemen, and opened their doors to intolerance and oppression.

Of this fact. *that the interest of the predominant clergy is considered by themselves as at issue with the interest of the people*, there cannot be a stronger evidence, than the remark of a celebrated clergyman and historian of their own order. The Rev. Dr. Jedidiah Morse, in his American Geography of 1789. observed,—(page 219—speaking of the clergy of Connecticut) "The clergy, who are numerous, and, as a body, very respectable, have hitherto preserved a kind of *aristocratical balance* in the very democratical government of the state ; which has happily operated as a *check* upon the overbearing spirit of republicanism." What the Rev. Doctor called, in those unguarded days, "*the overbearing spirit of republicanism*," the people of Connecticut have since happily discovered, to be only another name for *rational liberty*. Dr. Morse is not the only clergyman of his order, who has viewed the plant of "*republicanism*" as a noxious weed in the field of civil society, and has endeavoured to "*check*" the growth of what he was not able to destroy.

Your memorialists humbly conceive, that the vigorous, unremitting and but too successful exertions, which, within a few years, have been made in this state, to obtain acts of Incorporation for certain great Education Societies, for the special and exclusive benefit of the clerical profession, with powerful incomes of 5000 to 12,000 dollars per annum,—are not wholly to be forgotten in their bearings upon this important subject :—that they furnish no feeble proof of a *spirit* in this state to enlarge and establish the *interest* of the aspiring portion of the clergy, above the *interest of the people* :—and the late dangerous and unconstitutional meddling of the New York State Tract Society with the civil affairs of this State, by way of the acting Superintendent of common schools, present to your memorialists abundant evidence, that this *spirit* has not subsided.

There is one more feature in the singular communications of August 1, which we cannot pass unnoticed, and which properly considered, will, we humbly trust, leave the ground of our alarm, beyond the shadow of a doubt. The acting Superintendent of common schools has, it would seem, so completely surrendered his office to the Tract Society, that he not only sanctions their speculating project of raising money, by selling tickets of admission to spectators at these celebrations, to remunerate that Society and their friends for their pernicious trifles ;—but he zealously regrets, "that some public fund has not been designated by law" for the general purpose of purchasing *honors, premiums* and *rewards*—

evidently meaning the *tracts*, as his own language will shew;—and then not content with present violations of the constitution,—goes on to anticipate, that the legislature will at some future day, join him in the unhallowed work of another infringement.—This is no less, than to grasp a portion of the perpetual school fund, the use of which, the Constitution declares, "shall be inviolably appropriated and applied to the support of" our "common schools;" and, if we are to judge from the Society's advertisement upon the cover of the tract—from the plain course of the Superintendent's advice, and the most rational and evident construction of both his circulars,—to pour it into the coffers of the Tract Society, under pretence of its being necessary "to the support of common schools.

The jealousy of your memorialists, as to the tendency of these circulars and instructions, is surely not unfounded. Though they would consider it as a libel upon their fellow citizens, to suppose, that they would knowingly and quietly surrender the constitutional barriers which defend them against religious oppression, and the ambition of the clergy; yet they are well aware, that the human mind, so naturally fond of ease, will often drowse upon the brink of danger,—that RIGHTS, which have been long undisturbed and little discussed, *are sometimes forgotten*:—and could they suppose it possible, that the present scheme of the clergy and Superintendent would take and prevail,—that the still march of intrigue, covered by the smooth, plausible and imposing pretences of morality and virtue, should steal upon the inhabitants "like an armed man,"—that this Reverend Sinon, with his Trojan horse of *tract premiums* and *clerical parades* should be admitted into their schools without scrutiny or suspition;—your memorialists could not forbear the rational prediction, that the children thus taught—thus modelled and flattered and trained from step to step to suit the particular views of the clergy, would be fully prepared, when *they* should arrive upon the stage of action, to raise that clergy to power, by the establishment of their religion. This improved generation would then be *the people*;—they would no longer hesitate to erase those precious articles—the guards of religious freedom from the constitutions;—to tear the most brilliant gems from our state and national diadems, and leave them, with nothing worth contending for, in the cabinet or the field.

Upon a subject, so momentous and complicated in its character and bearings, and so deeply involving our feelings and interests, your memorialists humbly beg leave to conclude, that the said acting Superintendent has either ignorantly or knowingly violated the Constitution of this State, and thereby disturbed the peace and safety of her citizens.

In the painful view of these considerations, it becomes at once our privilege and duty to respectfully entreat, that your honorable body will bestow upon this important subject, all that vigilant and profound attention, which we are persuaded it so justly merits;—that you will amend the "Act for the support of Common Schools," with such provisions as your wisdom may suggest for the better security of our rights against fu-

ture misconstructions of the law ;—and finally,—while we disclaim all personal antipathies, and all motives. but those of the most pure and patriotic jealousy for our common rights, and of solicitude for our beloved posterity, that they may long preserve those inestimable legacies of Freedom, our state and national Charters, inaccessible to the stratagems, and unsullied and unbroken by the foul and rapacious hands of bigotry and ambition,—your memorialists earnestly and humbly request, that your honorable body will be pleased to remove the said John V. N. Yates from the office of Secretary of State and acting Superintendent of Common Schools, and to substitute in his room, a man, whose wisdom is adequate to the duties of that important station,—whose intelligence involves a clear knowledge of the rights of the people, and whose love of "rational liberty" may teach him to respect them. And your memorialists, as in duty bound, will ever pray.

Accepted in public meeting of the Inhabitants of Lebanon, held at the baptist meeting house in said town, December 20, 1824,—and subscribed (as herewith shown) by 200 Constitutional Electors of said town —Respectfully submitted.

SILAS SEYMOUR,
JOHN SHELDON,
CURTIS HOPPIN,
FRANCIS WHITMORE,
JOHN L. C. CAZIER,
} Committee.

DOCUMENTS

Accompanying the Memorial.

(A.)

[Articles printed upon the cover of the "Pensioner" tract.]

CIRCULAR.

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

Albany, July 30, 1824.

GENTLEMEN.—Since the date of my circulars addressed to you in June* last, advising the introduction of *Tracts* into all our common Schools, the Executive Committee of the NEW-YORK STATE TRACT SOCIETY have very politely furnished me with a *specimen*, entitled "THE PENSIONER, AND HIS DAUGHTER JANE." Of this interesting tale the Society has printed, at its own expense, an edition of 7400 copies, as a donation to the Schools; one copy of which they send to each school: and from which you will be enabled, in some degree, to judge of the character and general tendency of their future publications.—I feel a strong solicitude for the success of their benevolent design; and I firmly

* They were put into the boxes containing the laws of the last session, one for the School Commissioners of each town; some of the boxes still remain in the Secretary's office, not having been yet sent for.

believe that if tracts could be distributed as *premiums* for scholarship, especially when connected with stated celebrations on the plan adopted in the town of Salem, in Washington county, by that enlightened philanthropist, Dr. Proudfit, the benefits resulting to our country would be incalculably great. When we consider too, that the expense of achieving an object so important, is comparatively trifling, I am persuaded of your cordial co-operation in the proposed measure.—*To give it more full effect*, I intend, in a few days, to issue *instructions* to the Commissioners and Inspectors of common schools throughout the state, *requiring* them to institute celebrations of that description, at stated periods, in their several towns, in order to operate as incentives to study and the formation of correct moral habits. The hopes of our republic must be founded on the rising generation; but should their minds prove destitute of moral cultivation, these hopes, however fondly cherished, must be disappointed.

I am, Gentlemen,
Respectfully, your obed't serv't.
J. V. N. YATES,
Acting Superintendent of Common Schools.

To Commissioners, Inspectors, and Trustees of Common Schools throughout the State.

PLAN OF A REGISTER OF MERIT,

As used in the Albany Lancaster School.

FIRST CLASS.

Names of scholars in alphabetical order.	Standing in the class. M	T	W	T	F	S	Remarks.
A B	| 6	4	| 5	3	6	4	
C D	2	|| 1	1	4	| 1	2	
E F	| 1	|| 1	1	||| 3	| 1	2	
G H	3	6	3	4	4		

N. B. The straight marks in the square are fines.

The above is designed for one week. Suppose the class to consist of 12 scholars; and the *rule* of the school be to reward, weekly, one quarter of the number. Then the three best on the list are to be rewarded; and these will be the three who have the least amount of figures against them, after adding the fines. Thus:

A B	34.	Add fines	2=36.
C D	12.	" "	3=15.
E F	11.	" "	10=21.
G H	27.	" "	2=29.

C D	1st Premium.	A Tract of 16 pages.
E F	2d "	" 12 "
G H	3d "	" 8 "

The reason of *adding* the fines to the sum of the figures, is, that the greater the amount, the lower is the grade of merit. The fines may be graduated, by one or more marks, according to the degree of misconduct.

If not convenient to give the reward one week, for want of tracts of the requisite number of pages, it can be given the next week in which another premium shall be merited; and any overplus of credits can be noted in the column of remarks, as a balance due. There may be cases in which it will be advisable to wait several weeks, in order to adapt the book to the age and character of the scholar. The society will probably endeavor to furnish as great a variety, in their series of reward books, as practicable; will probably prepare many in the small pocket size; and calculate them for first, second, third and fourth premiums, and for several classes.

COMMON SCHOOL CELEBRATIONS.

The practice of annual celebrations in seminaries of learning, is well known to be almost universal in the higher institutions; and their importance and influence may be estimated by the fact, that in the highest universities and colleges—they are held in the most consideration and receive the most attention. But it would be superfluous to enlarge on this subject, or to enter into a detail of the par-

ticular benefits resulting from these celebrations; every man of reflection instantly perceives them; and every thing in his own bosom involuntarily rises up to sanction them. We *feel* that they address themselves to, perhaps, the most powerful principle of our nature---*the desire of eminence*

Why should they not be universally adopted in the primary schools? Why have they not been? Are not these schools of sufficient importance? Forbid the thought, every consideration of reason, every emotion of benevolence. If the alternative were imposed upon us--PERISH THE COLLEGES; let the common schools live. There are perhaps some difficulties in the adoption of these celebrations in the common schools; but there are difficulties in every thing that is of any value. Happily, in this case, they are easily removed. *A little spirit and a little resolution effects it.* The proof is at hand; and it is conclusive. IT HAS ALREADY BEEN DONE. An instance of it has occurred, of which we have great pleasure in giving the following account:

COMMON SCHOOL CELEBRATION IN THE TOWN OF SALEM.

In the town of Salem, in Washington county, there are twenty-one common schools. In February last, on the recommendation of the Rev. Doctor Alexander Proudfit, all these schools assembled in the village of Salem: each school, headed by its teacher, proceeded to the church, and took their places in order, according to previous arrangement. The commissioners, trustees and inspectors, were also present. The assembly was numerous beyond all expectation. From one school, six miles distant from the village, nearly *seventy* scholars attended. The spectators were also numerous. An address was delivered by Doct. Proudfit, accompanied by appropriate exercises. After which, presents of little books were distributed. The whole day was a day of universal and animated satisfaction: and the benefits of it on the schools will doubtless be great, and long felt. The thought was a happy one. But it was one which might have been expected from the man who conceived it and carried it into effect. The liberal heart is *continually* devising liberal things

N. B. It might prevent the intrusion of the idle, the noisy, and the vicious, to admit no person without an admission ticket at 6*d* for a single person, and 1*s*. for a family; which, with any donations of a larger amount, should be exclusively appropriated to the procurement of *Reward Books.*

The Society expects to provide a series of Reward Books, from the value of a cent (like the Pensioner) for weekly rewards, to about twelve and a half cents, (or 50 cents store price,) for quarterly and annual rewards.

(B.)

(CIRCULAR.)

STATE OF NEW YORK,
SECRETARY'S OFFICE.
Albany, August 1, 1824.

GENTLEMEN,

THE accompanying instructions for establishing *Common School Celebrations* in the several towns in this state, are transmitted agreeably to an intimation contained in a former circular; and I anticipate, more especially, from those whose official duties are connected with our school system, a cordial co-operation in giving them full effect. You will perceive that the object in view is extremely important; for it addresses as well to the affections of the parent, as the feelings and interests of the citizen. The happiness of society and the freedom of our country mainly depend upon the general diffusion of knowledge, and it is our duty to devise the best means for attaining and securing that very desirable end. In a few years, the children that now sit upon our knees, or play around the room, will fill our places, and become the future legislators, magistrates, and judges of our country, while we are silently descending to the tomb: How consoling then the reflection will be, that those objects of our affection are about to realize our fondest hopes, and to do honor to our memories! Even now, when we hear recounted the sage deliberations of the statesman, or the gallant achievements of the warrior, or the brilliant and still more useful attainments of the scholar, or the sacred and impressive eloquence of the divine, or the profound arguments of the lawyer, or the useful inventions and experiments of the philosopher, farmer and mechanic, do not our bosoms burn with admiration, and do not the eyes and hearts of each of us exclaim, "Would that he were my son!" If then these are the delightful emotions excited in us from the mere anticipation of the grand effects which knowledge and virtue produce, can we refuse yielding our best exertions to realize them in the persons of our children? The means, under Providence, are fully within our power, and painful will be our reflections if we neglect them. I know, however, full well, that in addressing you, I am not speaking in vain. You, who are specially appointed by our laws to superintend, manage, and direct the education of our youth, can never be in-

different to the great interests committed to your charge, nor neglect the sacred duties imposed upon you.

The plans suggested for the improvement of our common schools by instituting celebrations, promises, I am convinced, far more beneficial and important consequences than any other hitherto devised; and I hope and trust you will sincerely, ardently, and effectually promote it. You need not doubt its utility or success, for both have been fully demonstrated in our own state. The following account will be read by you with all the interest it ought to excite; and you will perceive that it fully proves that the experiment alluded to, if faithfully tried, cannot fail to succeed.

"In the town of Salem, in the county of Washington, there are twenty one common schools. On the recommendation of Dr. Alexander Proudfit, all these schools assembled in the village of Salem in the month of February last. Each school, headed by its teacher, proceeded to the church, and took their places in the order prescribed in the previous arrangements. The commissioners, inspectors, and trustees of those schools, together with the parents of the children, and a great concourse of spectators, were present, and the assembly was numerous beyond all expectation. From one school, six miles distant from the village, nearly *seventy* scholars attended. An address was delivered by Dr. Proudfit accompanied by appropriate exercises; after which presents of little books were distributed, and the whole day was a day of universal and animated satisfaction. The benefits of it on the schools in Salem will doubtless be great, and long felt, and too much praise cannot be given to Dr. Proudfit for taking the lead in this benevolent work."

This example expresses a language which cannot be misunderstood—"Go ye and do likewise."

Thus you perceive that the experiment is neither doubtful nor difficult, and its benefits are certain, and their extent beyond calculation. Indeed, when we see the flourishing condition of our colleges and academies, and know that much is attributable to their public anniversaries and commencements, why should we hesitate to believe that the same means, when used in support of our common schools, will produce the same end? And why, permit me to ask, should not our common schools be placed on a footing as respectable as any other of our seminaries of learning? Are they not as useful? & is not their influence more generally felt & acknowledged? When we consider also the high character which our common schools have so deservedly maintained—when we find other states and countries imitating their example and quoting their success, should we not feel the strongest desire to render them still more worthy of this distinction, and still more useful to ourselves and posterity?

In connection with common school celebrations, is the fair and discreet distribution of *honors*, *premiums* and *rewards*, for scholarship and behavior. It is to be regretted that some public fund has not been designated by law for defraying the expense of this part of our system of education, as it would certainly render it more complete, and give it an impulse of almost incredible value. It is highly probable, however, that at no very distant day, our legislature will be enabled, from the proceeds arising from the sale of nearly a million of acres of land belonging to our common schools, to appropriate a fund for this purpose. In the interim, something may yet be done. Small books or moral tracts may be cheaply purchased, either with the monies produced by the sale of tickets of admission at celebrations, if deemed advisable, or by subscriptions or appropriations from liberal and public spirited men. The cost will be too trifling to allow us to despair that these means will be adequate to a very considerable extent. I have already had occasion to recommend the introduction of *moral tracts* into our schools, and I can only repeat, that those publications, while they furnish food both for the head and the heart, may be obtained with great facility, and at *one-third* the usual prices of ordinary publications. In many instances, *certificates of scholarship* may be given as rewards, or anxiliary incentives to study, but *books* or *tracts* of a moral tendency, when they can be obtained, are certainly preferable.

From all that has been said, who can contemplate, without the most intense satisfaction, the grand results that will flow from the full and vigorous adoption of these plans? Who can count the numerous blessings that will attend the exertions of every one of you in this benevolent cause—the cause of God and man, and one which Providence will surely consecrate and prosper?

It is desirable to receive your answer, acknowledging the receipt of this circular and the accompanying instructions, within thirty days; and should any suggestions occur to you, communicate them freely. We can have but one common object in view; and

I am persuaded, therefore, of your concurrence and support in every necessary and judicious arrangement "for the encouragement of learning and the promotion of virtue."

I am, Gentlemen,
Very respectfully,
Your obedient servant,
J. V. N. YATES,
Acting Superintendent of Common Schools.

To the Commissioners, Inspectors, Trustees and Teachers of Common Schools, and to the Town Clerks and District Clerks throughout the State.

(C.)

INSTRUCTIONS FOR ESTABLISHING COMMON SCHOOL CELEBRATIONS.

I. In each town containing a church or public place of divine worship, there *shall be*, in every year, one or more *Common School Celebrations*; to which the teachers and scholars of the several shools of such town, the parents and guardians of those scholars, the officers of such schools, and the other inhabitants of the town, *shall be* invited to attend. Where the town is too large or extensive to admit their attendance at any one time and place, arrangements *may be made*, if thought necessary, for limiting the number of schools to be invited, and for directing another celebration to be held for the rest of the schools, which may have been excluded from the first. Tickets of admission for spectators, if deemed advisable, *may be* issued, and the proceeds arising from the sales thereof *may be* applied to the purchase of *premiums* for the scholars.

II. The celebrations in each town *shall be* placed under the direction of the commissioners and inspectors of common schools therein; and they *shall establish* such regulations as they think proper, for appointing the day, place, and manner of holding the same; for distributing honors and premiums, for *establishing religious* and other *exercises*, and generally for attaining the great ends in view, viz. emulation among the scholars, and the encouragement of learning and virtue.

III. The commissioners of common schools, when they meet in each town for distributing the public monies to school districts, or for the performance of any other official duty, *shall*, with the assistance of the inspectors, whom they will invite for the purpose, *declare* in writing the time of holding their next ensuing common school celebration, and shall prescribe all the necessary arrangements, and they *shall* also *give* or *cause to be given*, due notice thereof to the trustees, or district clerk of each school district within their towns, and they *shall inform* their teacher, who *is required* to communicate the same to the scholars under his charge, so that their parents and guardians and others may receive timely notice.

IV. The town clerks *shall record* the appointments and orders of the commissioners and inspectors, and *shall assist* in giving publicity and effect thereto. They, and the district clerks, *are* also *required* to file and record these instructions, with the accompanying circular, in their offices respectively.

V. Teachers of common schools *shall keep* suitable rolls of the names of their scholars, and *shall* daily *note*, with strict impartiality and justice, the absence or tardiness of each scholar, the progress made by each scholar in his studies, and the general course of his behavior; so that on the arrival of the next common school celebration, the names of the most deserving may be communicated to the commissioners and inspectors, for the purpose of distinguishing, by suitable honors and rewards, their proficiency in scholarship and behavior.

VI. When two towns, or parts of two or more towns, can conveniently unite in the same celebration, the commissioners and inspectors of such towns *may have power to direct* it; and where a district lies in two or more towns, the trustees thereof *may choose* the town or towns in which they will attend the common school celebration.

VII. Within twenty days after each celebration, a faithful account of its proceedings

will be transmitted to the acting superintendent of common schools. The town clerks *are specially charged* with the performance of this duty.

J. V. N. YATES,
Acting Superintendent of Common Schools.

Albany, August 1, 1824.

Note ..It will be particularly observed. as the acting superintendent is anxious to prevent APPEALS or complaints coming before him with respect to the performance of these instructions, that *he expects a prompt and faithful compliance with them. and hopes to hear of no complaints to the contrary.* It will also be proper to note, that the officers of *Lancaster schools*, or free schools under acts of incorporation, in the cities of New-York, Albany, Hudson, Troy and Schenectady, and in Poughkeepsie. will adopt their own regulations for instituting celebrations. and may, if they think proper join with any other schools therein. or may have them separately by themselves; but it is hoped and believed, that the Lancaster or free schools will not fail to pursue one or other course.

Appendix.

PRESENTED IN SENATE, FEBRUARY, 10, 1825.

To the Honorable the Senate and Assembly of the State of New-York.

This appendix of the undersigned committee of the inhabitants of Lebanon, to their memorial of December 20, 1824,

FURTHER RESPECTFULLY REPRESENTS,

That the said memorial had received more than 150 signatures, when a new public communication issued by the New-York State Tract Society, and signed by six of their distinguished officers, made its appearance in the Albany Gazette of Dec. 31, 1824. This communication (marked D) which is herewith respectfully presented. developes so fully the intentions of the Tract Society with respect to our common schools, and the exact identity of their plans with those of the acting Superintendent; —together with a view of the character and principles of that Society, so unexpected, so disguised, and still so strikingly discernible, that while your memorialists regret the necessity of enlargement, they would humbly ask the privilege of a few additional suggestions.

We would also beg leave to submit to your perusal a copy (marked E) of a letter addressed to the acting Superintendent by the School Commissioners &c. of Lebanon, about the 10th January inst.—and also to state, that substantially, the original of said letter had been previously transmitted (about the 21st December last) to the acting Superintendent, signed by Messrs. E. Gray Commissioner, and S. Collister Inspector of Common Schools; which original letter was returned to the said gentlemen, with the ANSWER of Mr. Yates, (of December 26th 1824,) of which a copy (marked F) is submitted;—that the said letter was copied, signed " in a manner *fully official*," and again transmitted as above to the acting Superintendent, and that the consequence of this "*official* letter" was the *official answer* of the said acting Superintendent, (of January 17th inst.) of which a copy (marked G) is also respectfully submitted—in which it appears, that we were correct in our view of the intention of the Superintendent, to have "*his discretionary Instructions*" received as *Law* and considered as *penal.*

Your memorialists are fully sensible, that this is not the first time, that the same eventual object, pursued by various plans, has been sought, and

sometimes with partial success, even in this land of liberty and light.—Other states have experienced the rise and fall of clerical tyranny:—but so high handed an attempt to infringe the rights of the people, and govern them without their consent, under the combined cover of *law* and *religion*, has never, we believe, been made before in this state. The Tract Society and Superintendent seem to act, as if the people of this state had forgotten their Constitution; & as if, in the decline of political jealousies, they were already prepared to ratify without inquiry, the absurd principle, that THE CLERGY CAN DO NO WRONG. The circulars of the Superintendent, together with the specimen tract and its cover, gave us presumtive and alarming evidence of the correctness of our suspicions.—That testimony was heightened by a quotation made, in the public prints, from the Boston Recorder, (a paper devoted to their cause)—viz. that they had "sent the documents exhibiting their *success* to 17 different tract societies in the Union—to England, and to 31 tract societies on the continent of Europe."—But it remained for the Tract Society themselves to furnish us all the evidence we could ask, direct and complete. In this public communication, they do not hesitate to avow their unqualified intention to push their Tracts into "*the hands of every child that can read in the state.*"—They do not blush to acknowledge, that "*with this view* they first addressed themselves to the commissioners and trustees of our 7400 common schools, *urging* the introduction of their Tracts into the schools as rewards."—While they claim the honor of taking the lead, they do not scruple to boast of the "*strong*" support of the Secretary of State and particularly of his "*officially directing* the school and town officers to institute annual celebrations" and that *their* meritorous services may not be forgotten, they add, "*as the Society had suggested on the covers of the specimen Tract they sent out.*"—And they are no less ready to inform us, that "human prudence" has attained the very summit of all improvement, in their plan to establish at the head of our school system, a new ecclesiastical censorship of *three priests*, whose infallibility no one is supposed to doubt, and who, in short, are made *the Judges* of the propriety or fitness of all that mass of sermons, religious novels, warnings and exhortations, with which, in the form of *tracts*, our common schools are to be abundantly supplied.

Your memorialists desire to be distinctly understood, that in our strictures upon the Tract Society, we do not commence an attack. We stand upon our own ground—the ground of our civil and religious rights, which they are invading, and it cannot be thought strange, that while they so boldly advance, we should *presume* to survey their character and pretensions.

We may first observe in general, that the ambitious and managing designs of the Tract Society, are in this state unequalled but by the assuming (not to say arrogant) language in which these designs are sometimes conveyed.

They speak of "*keeping up the spirit* of circulating tracts," and of their *County Branches* as "so many *centres of influence* which will *efficiently act* upon the auxiliaries," &c. with as much assurance as if the object of their

wishes was already consummated, and their power established by the constitution and laws of the state.

They freely tell us, or rather their knowing "*friends*," that their "*design*" embraces "*two objects.*"

"1st PROVIDING FUNDS for the publication of religious tracts." This too is under the collateral view, that our school system is to be made a part of their machinery, and that to *provide funds* for them, one of the most valuable of our civil institutions is to be degraded by the introduction of show celebrations.

"2d FURNISHING CHANNELS for their circulation." No small share of this object is to be effected by the Secretary of State "*strongly seconding*" their measures;"—IN short, by an *abuse of official influence*, and an *usurpation of power*, unparalleled in the annals of our government.

We should pass by their "*efforts* to raise up tracts from the" just "degradation into which they have sunk," were it not to notice their puerile means of effecting this, by trimming the edges and adding pictures, to catch the children; and to take the old ones by the fine rodomontade, that "*the whole circle of literature may be boldly challenged to produce their equal.*"

"For the *spirit* of the society," they refer us to its publications and to a variety of other documents.—To discover this *spirit* in its various ramifications, and in all its bearings, it is sufficient for *us*, to examine the publication before us, together with the cover of their *specimen* tract.

We shall not pretend to dispute their candid and "*feeling*" acknowledgement upon the cover of the tract, that "*the most powerful principle of*" *their* "*nature*" *is* "THE DESIRE OF EMINENCE."

But their *spirit* is more fully developed in the following extract from their last communication.—"It is believed, that *the time is come, when a broad line of distinction should be drawn* between those who seek justification as it were by the works of the law, and those who receive the sacrifice of Christ as the only foundation of hope, and without the reception of which there is nothing to be looked for but the fiery indignation of Jehovah."

Why this fulminating language in this place?—Such a denunciation from the pulpit might not have surprized us;—bnt to see it in a public circular, in which the Tract Society are "*urging*" the people to make their works an engine of state, is astonishing, and can mean no less than to *frighten* to the support of their plans, those, whom they cannot *invite.*—What do they mean by their "*broad line of distinction?*" Do they mean a mere *distinction of religious opinion* or a *civil distinction?*—We presume to answer—that if one half of their collossal pretensions to literature can be admitted, they must have known, that in the mere difference of *opinion* and *church fellowship*, the broad line of distinction between Arminians and Calvinists. has, in this country as in others, *long been drawn and well understood*—has been fully discussed and often decided, in synods and in courts—in churches and in families. They cannot escape the alterna-

tive then, that they mean a CIVIL DISTINCTION, insinuating itself gradually into all the dearest relations of community--advancing with an artful succession of covered, unfolding and audacious marches upon all those rights and privileges for which our fathers toiled—bled—and devoted their anxious and sleepless nights to prepare and bequeath to us and future generations our free and happy Constitutions. A perfect model of this "*broad line*" was drawn with a witness more than 200 years ago, when the thunders of the famous synod of Dort were levelled upon the heads of the Arminians for heresy*--when "they were excommunicated; they were driven from all their offices, civil and ecclesiastical; their ministers were prohibited from preaching, and their congregations were suppressed. Refusing to submit to the two last of these hard decrees, they were subjected to fines, imprisonments and various other punishments." Even this country has not been an unconcerned spectator of these *broad lines*;—witness the imprisonment and dying groans of the proscribed Quakers;—and the civil privations, obloquy and sneers which by the mistaken *spirit* that seems to govern this Society, has for years, been alternately cast upon the Episcopalians, Methodists, Universalists, and a great proportion of the Baptists.—Give this spirit *power*, and where —with deep solicitude we would ask--where would it end? If their language is not useless and unmeaning, we truly perceive in this production, a *spirit*, with which these enthusiastic professors of benevolence would wield, what they call, "the fiery indignation of Jehovah" upon all those who might differ with them in religious opinions.—It is the *spirit* with which Pagans and Jews have persecuted Christians, and nominal Christians have persecuted Pagans and Jews--with which Catholics have kindled the faggot for Protestants, and Protestants for Catholics—Episcopalians for Presbyterians, and Presbyterians for Baptists and Quakers.—It is the same *spirit* which led the celebrated Calvin to climb the chair of state, and sway the sceptre of civil dominion for years in support of his religion--the same *spirit* which led him to disregard the sacred laws of hospitality,--to seize an unsuspecting fugitive from Papal violence, and consign the harmless Servetus to the flames † with worse than savage cruelty. It is the same *spirit* which induced that refined Stoic who has been miscalled "the *gentle Melancthon*" to approve that barbarous measure :‡ --and if the emphatic epithets of "*weak and wicked priests*," used by the wise and learned fathers of this state, do not apply to those clergymen, they, at least "knew not what manner of *spirit*" they were of. It is the same spirit which, within a few months, has induced that worse than Napoleon, the despot of Russia, to strip his unhappy Jewish subjects of every thing but life--and which more lately has led the infatuated clergy of Spain, through their weak and bigoted monarch, to decree to indiscriminate slaughter, the honorable and inoffensive fraternity of freemasons, who are adjudged without evidence or trial, to be "enemies to the *Altar* and the *Throne*." We would here respectfully ask--Is it

* Edinburgh Encyclopædia, Vol. 2, p. 430.
† Mosheims Eccles. Hist. Century 16. Sec. 3, part 2. Also Edinburgh Encyclopædia Vol. 5, p. 183.
‡ Edinburgh Encyclopædia Vol. 5, p. 184.

this unchastened "*desire of eminence*" and power—Is this the *spirit* with which petition after petition for certain Education Societies have been pushed into the halls of the State Capitol? If so—permit us humbly to enquire—Can the Legislature of this State do its citizens a greater service than to disencumber at once its statute book from those ill gotten charters—and to leave those bodies to maintain their identity and their permanence by that *charitable confidence* and *brotherly love* which they profess, and which alone, we are bold to say, constitutes an ample and sufficient *bond of union* for every real christian institution.? To return from this digression, we may add—when we compare this communication of the Tract Society with the enthusiastic expressions of the Superintendent—when we hear them proclaiming their religious tenets, &c. &c.—when we hear him saying *officially* "I feel a *strong* solicitude for the success of *their* benevolent design;" and again, "to give *it*" (that is, the plan of Dr. Proudfit and the tract society) "*more full effect*, I intend in a few days, to issue *Instructions* to the Commissioners and Inspectors of common schools throughout the state, *requiring* them to institute Celebrations of that description," &c. we cannot entertain even the faintest doubt of a *combination* (we had almost said conspiracy) between the Tract Society and the Secretary of State, to convert to *their* religious faith the whole rising generation within their reach, by controlling the civil institution of our Common Schools, and thus gradually to establish the support and power of the clergy, who are of *their* belief and system, above all others in the state.

We recur to another *disguised*, though very pointed denunciation in their writings, to corroborate our views of their oppressive *spirit*.

Notwithstanding the increasing numbers of charity students, by which the clergy are annually enlarging their literary strength; the various classes of young men, destined for other professions, of superior talents, independent judgments and elevated minds, which the public Universities are continually adding to the ranks of Liberty, and returning to their homes to enliven the patriotic spirit of social circles and public assemblies with the united charms of freedom and science,—are still *too numerous* to allow the ambitious portion of the clergy to hold the field of refined education and its consequent power, with undisputed claim. The Emperor of Austria intimated to *his* Colleges, that he had much rather have *quiet subjects*, than *learned men*:—& from the collateral testimonies given of their ambition, and another proof yet to be adduced,* we have good reason to conclude, that the Tract Society were actuated by the same *spirit*, when, with a shallow pretext, they gave us the hint upon the cover of the Tract,—"PERISH THE COLLEGES; LET THE COMMON SCHOOLS LIVE." Indeed, if these gentlemen could have the absolute control of our common schools, and our Colleges reduced to those *Seminaries* only, which are placed under the care of Education Societies, and devoted to the rearing of none but clergymen, "their *success*" would then be

* Their attack upon the memory of the Illuminati.

complete, and the occasion be furnished for another exulting communication to the "31 *tract societies of the Holy Alliance.*"

It will surely not be exceeding our limits to say, that we perceive in this Society, a demonstrable *spirit of speculation.* For we consider *Tract Societies* as capable of speculation as *Bank Societies*, and if the cash profits are not as extensive, the deficiency may be more than supplied by the dangerous accumulations of *influence* and *power.* Besides the immense distribution of "*quarterly and annual rewards*" involved in their plan, the Society have shewn us upon the cover of "the Pensioner," the distribution of tracts which they append to the Register of merit, as a model for imitation throughout the state—viz. 3 *tracts, amounting to* 36 *pages, to each class per week.* Let any gentleman possessing sufficient data, calculate the amount of this ratio of distribution throughout the state, adding in the probable amount of the larger books to be distributed as quarterly and annual rewards, (which the Tract Society are likewise to furnish) and then judge, if the "*donation.*" with which their operations commenced, should not rather be called a *bait*—an insignificant *bonus* to procure the privilege of a most extensive system of speculation, in which (considering the enlargement of *plan*, as the thing advances) the treasury of the Tract Society would, in the result which they anticipate, receive annually more money from the schools to support their ambitious schemes, than the whole amount of annual distribution which those schools receive from the treasury of the state. No wonder, that the Superintendent and Tract Society should be anticipating the privilege of commanding our school funds—no wonder, that these new shrine makers should, in the prospect of so extensive a trade, be *stereotyping* their works.

It is astonishing with what *familiarity* (not to say impudence) these gentlemen enter our common schools, uninvited. "The Society looks" say they, "with a paternal solicitude to the rising generation." As freemen, sensible of the intrusion upon our domestic rights, we have only to answer—We thank them not for their "*paternal solicitude.*" It will be time enough, we think, for *them* to stand as *god-fathers* to our children, when we ask the favor.

The Superintendent seems to think, that the dissemination of a falsehood is of but little consequence, if it only has a "*moral tendency.*" It would, as we humbly conceive, puzzle a casuist to discover precisely the "*moral tendency,*" of the "Jane" tract. It seems that this fancied "*Pensioner*" had been a *faithful soldier*,—was an *industrious* man—a "*frank and generous*" man—a man of "*worthy hospitality*"—and a "*worthy man :*"—but we are given to suspect, that he was not a *moral man.*—This result was to be a consequence of *missionary* labors. Far be it from us to cast the glance of ridicule upon a subject of true solemnity ;—but really, this is an attempt to smuggle *their religion* into the schools, under the name of *morality ;* and seriously, we consider it as *immoral* to mingle the sacred truths of Scripture with the inventions of novels, and to corrupt the public mind with an undue veneration for the clergy, as to

corrupt it with any other principle which tends to the destruction of rational freedom, security and happiness.

It might have been rationally expected, that while the Superintendent and Tract Society, in their anxiety to produce *moral* effects, neglected *truth* as an unnecessary ingredient in their tracts, they would have endeavored at least to preserve *consistency* in their more direct correspondence with the public. The Tract Society are, as they tell us, publishing and circulating "*religious tracts*," and actually boasting of the powerful assistance of the Secretary of State, &c. in the commencement of this very work. On the other hand, the Secretary, while virtually meriting this mistaken applause, very sedulously avoids the expression "*religious tracts*," as a most dangerous and exceptionable term, and at length, when driven to the point, flatly denies that he ever recommended any tracts of that description.

Without endeavoring to reconcile these contradictions between the Superintendent and Tract Society, with respect to the general title of their tracts; we will give them both the credit of what appears to us, a most harmonious attempt to deceive the public mind.

1st. In the Tract Society. While they profess "genuine catholicism, opening their arms to evangelical christians of every denomination," it is evident from another part of their communication, that their principles are decidedly *sectarian*.

Again, they tell us—"We trust the Society is *above* all *party* feeling; and that we honestly intend, and shall sedulously endeavor to keep it as *free from Sectarianism as the Bible is*." His holiness the pope would say all this, and so would every denomination of professing christians, each one considering the Bible as furnishing exclusive proof for its own tenets. While this was to be well understood by the *knowing* ones, the whole was plainly intended to convince the public, that these gentlemen of the Tract Society had discovered the secret of a religion which differed from no body, and that their uncommon elevation "*above all*" terrestrial "*party*," was such as might safely allow them to occasionally "*descend*" and manage the affairs of State, without danger, suspicion or inquiry.

Again—the Tract Society, as we conceive, show no less a disposition to crush the enlightened intellect and the spirit of freedom, than to mislead the public mind, when they rake up the ashes of the Illuminati, and endeavor to revive the exploded falsehoods of Barruel and Robison.—Shall we pause to observe, that when the heat which pervaded the civilized world at the time of the French revolution had subsided, it was discovered, that the dominant clergy not only of France but of other countries, had not forgotten to improve the golden opportunity of falsely ascribing all the horrors of that revolution to the spread of infidelity and the opprobrious epithets of *infidel* and *atheist* were abundantly bestowed upon all those champions of literature and freedom, who dared to stem the torrent of clerical pretensions, and to point their fellow citizens for political security and happiness to the straight and enlightened paths of rational liberty. That communicative light—that spirit of freedom had

been found in the Illuminati of Germany ;—a society, which rose and fell before the French revolution. and had no connection with it, but in "the heated imagination of the French priest ;"—a society, whose professed objects were, "to introduce more enlightened ideas of government, to disseminate a knowledge of the sciences, and to promote the interests of virtue." Its seat was Bavaria, It grew out of, and rose against the attempts of an ambitious clergy to put out the lights of science—to control the intellects of the people, "by means of edicts levelled against the commerce of literature, and to oppose the antidote of ignorance to the contagion of knowledge."* Such a Society found its necessity and its end in the measures of a bigoted tyranny ; and its memory has been traduced by all those aspirants after clerical dominion, whose sighs have mingled across the broad Atlantic, for the deplorable state of our *infidel government*, and the sons of Liberty in both hemispheres. We may add, that the Tract Society, so eager to dress out the effects of this phantom, (which are doubtless as well founded as the details of their "Pensioner") have forgotten to inform us of the *improved* state of society in Bavaria in 1812—more then 20 years after the extinction of the Illuminati—*a state of society, modelled and produced by the very power which suppressed that order ;*—where the ecclesiastics, not content with engrossing "an income exceeding one third of the revenue of government, with a complete immunity from all taxation,"—are draining the fountains of public improvement, "by persuading their farmers to send their sons into convents," that they, [the ecclesiastics.] may receive 3 or 400 florins with each for their "*paternal solicitude ;*" "while the children of the other farmers, by being likewise educated in convents, are rendered totally unfit for any serious profession, or regular industry :"—where, as history adds, the people "are influenced by no higher principle than a blind submission to priests, infamous and profligate as themselves : and whose basest crimes are expiated by a very trifling fine."† Bavaria is not the only country which has felt the demoralizing effects of clerical ambition ; but the *more than* "*human prudence*" of the Tract Society would not allow them to meddle with *this* subject.

2dly. In the Superintendent. When, in his various communications, he used the words "*moral habits*," "*moral cultivation*," "*moral tracts*," and "*moral tendency*," he evidently meant to convey to those who might be jealous for their rights, unexceptionable impressions. This intention to appear guarded and prudent, is fully proved in his denial that he ever recommended "*religious* or any *sectarian* tracts," (which, by the way, is an implied acknowledgment, that he had no right to recommend them officially :) when he could not have been ignorant, that "the Pensioner" (which he officially recommended to the schools) was a *religious tract ;*—that the Society expressly called their works "*religious tracts ;*" that that Society ("for the success of" whose "design" he felt "a strong solicitude") was a *Religious Society*, and, like all other Religious

* Edinburgh Encyclopædia, volume XI. page 184.

† Edinburgh Encyclopædia, volume III. pages 342 and 344.

Societies. *with sectarian principles*;—that his official pen was giving the whole scheme in which they were jointly engaged, the highest *religious character*, by calling it "the *cause of God*;"—and finally, if his talents ever fitted him for a Secretary's office, he must have known, that the word *moral* had, as he used it, a most ambiguous meaning—that, while by the impartial statesman it was applied merely to an honest upright conduct in our dealings with mankind, without any regard to religious faith or opinion; the members of a religious society would sometimes make it inseparable from the *tenets* of their religion, and in this view the word "*morality*" is evidently used by the Tract Society, when they say, that their tracts "will inculcate the *essential* truths of the gospel, and enforce the *only true morality*, that which is the fruit of *religion*"—that is, the religious belief of the Tract Society.

From a review of these facts it is plain, that the Secretary in using the word "*moral*," was endeavoring to present a dainty of *equal relish* to two opposite classes of readers:—in one sense, to those liberal minds, who, though professors of religion themselves, could nevertheless see a *State* without looking through a *church*; and in another, to those bigoted, moon-eyed gentlemen, who could never perceive either one of them to perfection, but through the medium of the other.

What would these founders of the Tract Society, so professedly impartial say,—were either an Arminian, an Unitarian, a Catholic, an Episcopalian, a Methodist, a Quaker, or an Universalist allowed by the government to dictate or control, directly or indirectly, the character of the the religious books to be distributed as *premiums* among the children of the State? Their web of "genuine catholicism" would vanish in a moment;—their Calvinistic preference would rise at once, and the cries of *heresy*, *infidelity* and *intolerance* would be heard to the remotest limits of this great republic. And yet can they be ignorant, that all these sects and more—the Mahometan, the Jew—nay, any—the most visionary and absurd projector of religious opinions upon the face of the globe, has an equal right with *them* to the privilege of official patronage, and the virtual power of leading and establishing the religious belief of the rising generation? We pause to correct ourselves—and to DENY with the full spirit and strength of the Constitution, that *either of those sects* or the *Tract Society* or *any other*, has the least right to intermingle its religion with the education of our children—and the Superintendent or any other school director who is either ignorant or regardless of the principle involved in this denial, is in our view, totally unfit for his important station.

Let not the honest warmth of Freedom, or any severity of remark, be construed into a malignant opposition to the clergy. We disclaim any such feelings. We meet and hold intercourse with them as gentlemen and as fellow-citizens. In religious matters, we take the liberty to think of *them*, and to give preference or no preference—as we please: and we allow them the same privilege in return. We are willing that they should stand upon the same open field—the same broad level with ourselves. We cheerfully grant, that the privileges of *private* life should be equally, and even (when their conduct comports with their constitu-

tional station) somewhat more liberally extended to them than ourselves. But, when we discover them approaching our citadel of POWER :—when we see them endeavoring to influence or control the acts of our public officers : we call them back to look upon the experience of past ages—to turn their eyes to the monitory beacons of our Constitution, and behold them inscribed. " PROCUL. O PROCUL, ESTE PROFANI." [*Hence, O be far hence, from our civil institutions.*]

There is a remaining point of collusion in which the Secretary and Tract Society agree to a wonder. It is seen in their several attempts to convince the doubting ones by the force of *example*, by representing the " numerous" and flattering " answers which he has received, approving the measures he has prescribed," &c. &c.

In relation to this it may be observed, that while the Superintendent, in the NOTE to his Instructions, was braving the opposition of freemen, and endeavoring to silence their complaints, by the stern language of military power; the concluding paragraph of his attending Circular very politely requests an answer within thirty days, and we are there told, " should any suggestions occur to you, communicate them freely."—That is, (if we understand him correctly) '*Gentlemen, if you have any flattery to bestow or any intelligence to communicate, favorable to the plans of the Tract Society, or my recommendations and decrees, I should be happy to receive it.*' That from various impressions some indiscreet answers to his Circular should have been thus procured, is not to be wondered at ;—but we are well aware, that the whole is the effect of *management*, and that even in those towns whence the answers may have arisen, they are never or seldom to be considered as the full and deliberate expressions of public opinion. And however a mistaken zeal, a thoughtless fancy for innovation, a forgetfulness of the letter and spirit of the Constitution, or what may be more effective, the artful and imposing character of the documents themselves, may have induced some of our school officers to accede to the dangerous and forbidden measures of the Superintendent, yet we can not but humbly hope to find in your wisdom, an ample corrective.

We send no lobby members to maintain our cause against the denunciations and sophistry of our opponents. Our only lobbies are the free, intelligent and patriotic bosoms of our legislators. To them we appeal, with the humble confidence, that the reference will not be in vain—that their penetration will far exceed our scanty views—that our feeble efforts to preserve the fair inheritance of Freedom from the worst of violence, will find, in their deliberations and support, a cheering and abundant triumph, and that the result of their inquiries will be such, as to command the honest plaudits of the present, and the grateful recollections of future generations.

And again, your memorialists, &c.

SILAS SEYMOUR,
JOHN SHELDON,
CURTIS HOPPIN,
FRANCIS WHITMORE,
JOHN L. C. CAZIER,
} Committee.

LEBANON, JANUARY 31, 1825.

DOCUMENTS

Accompanying the Appendix.

(D.)

NEW-YORK STATE TRACT SOCIETY.

[FOR THE ALBANY GAZETTE.]

This society was organized on the 25th February, 1824. It is formed on the model of the American Bible Society; not only in its federative character, but in its *Catholic* spirit. Its design is to combine the efforts of the friends of religion throughout the state, in two objects:

1st. Providing funds for the *publication* of religious tracts: and

2d Furnishing channels for their *circulation*.

The plan of the society for accomplishing both is, a parent institution in the city of Albany—the centre of communication with all parts of the state—branches in every county, and auxiliary societies, if possible, in every town and village.

The parent institution is to print the tracts at the lowest practicable rate, by means of *stereotype plates;* to sell them to the auxiliary societies at the lowest price compatible with the permanent support of the institution, which will be *much lower than they could be printed in small editions;* and to furnish them *gratuitously* to communities unable to purchase. The spirit of the society is that of genuine catholicism—opening its arms to evangelical christians of every denomination.

Thirty-new societies have already attached themselves to the institution as auxiliaries; and the number is steadily increasing. Its donations, life subscriptions, and annual subscriptions, including the subscriptions to five auxiliary societies in Albany, amount to upwards of $1200 in the city of Albany, and $225 from other parts of the state.—About forty different tracts have been stereotyped.

To keep up and increase the spirit of circulating tracts, the society issues a monthly publication called the *New York Tract Magazine*; containing 24 pages monthly price 4 pence.

With a view to the same end, the society is now urging the establishment of *County Branches;* as an intermediate class of societies between the auxiliaries and the parent institution. It is thought they will be so many centres of influence, which will efficiently act upon the auxiliaries, by correspondence, and personal intercourse. To them, auxiliaries and individuals may resort and obtain supplies of tracts at all times and in all parts of the state. These county branches may hold annual meetings, to which the auxiliaries may, if convenient, send delegates, and at any rate, may send reports of their proceedings for the year; which may be combined with the annual report of the county branches; and these again may be transmitted to the parent institution, to be embodied in their annual report. But all will be left to manage their own concerns according to their own judgment and discretion.

To secure a proper selection of tracts, the society have in their constitution, prescribed a regulation which they are not aware can be improved by human prudence.—Three ministers of the gospel are to be annually chosen by the directors as *counsellors* without the approbation of two of whom no tract is to be published. These counsellors, for the present year, have been chosen from the Presbyterian, the Dutch Reformed, and the Baptist churches; which, with the Lutheran church, are the only denominations that have hitherto united with the society. The character of the tracts designed to be published, will be seen in the following extracts from the address of the society on its first institution and from one of their subsequent publications. "Great pains and caution will be used in the choice of tracts. The cardinal points in all the tracts

we shall publish will be, the salvation of our fellow beings in the eternal world, and their happiness in the present. They will therefore inculcate the simple, *essential* truths of the gospel; and enforce the only true morality, that which is the fruit of religion." "It is believed that the time is come when a broad line of distinction should be drawn between those who seek justification as it were by the works of the law, and those who receive the sacrifice of Christ as the only foundation of hope, and without the reception of which there is nothing to be looked for but the fiery indignation of Jehovah. On this local principle which we believe is never cordially embraced but by the teaching of the Holy Spirit, we would invite the co-operation of our fellow-christians."

One point to which the society is directing its efforts is, to raise up tracts from the degradation into which they have sunk. Among the means of effecting this, their tracts are covered with strong paper, the edges are trimmed, and each tract is embellished with an illustrative cut. But the society is strenuously endeavoring to elevate tracts in a more important respect—the estimation in which they are held by cultivated minds. To this and through the medium of the tract magaizine, and in their correspondence, they continually endeavor to inculcate the sentiment, that "for rational entertainment, for solid instruction, for improvement of the heart, the whole circle of literature may be boldly challenged to produce their equal."

The society looks with a paternal solicitude to the rising generation. In their desires they do not stop short of seeing their tracts in the hands of every child that can read in the state: and they would hardly propose to themselves less in their aim. With this view, they first addressed themselves to the commissioners and trustees of our 7,400 common schools, urging the introduction of their tracts into the schools as rewards; and next, sent a *specimen* Tract to each school. Both of these measures were strongly seconded by the secretary of state, acting superintendent of common schools, in two circular letters; the first sent to every town, the second to every school in the state; and these he has followed up with a third and a most animated circuliar, officially directing the school and town officers to institute *annual celebrations*, as the society had suggested on the covers of the specimen tract they sent out; of which an instance in the town of Salem, *under the auspices of the Rev. Dr. Proudfit* was given. Of this last circular 8000 copies were published, and sent to "the commissioners, inspectors, trustees, and teachers of common schools, and to the town clerks and district clerks throughout the state." And he has received, and is continually receiving, numerous answers approving the measures he had prescribed, and promising active co operation in carrying them into effect; many of them expressing, in the strongest terms a high sense of their beneficial effects, and some calling him the benefactor of the common schools.

We would now earnestly, but respectfully appeal to the *Christian community*, for that prompt and substantial support which, from its magnitude and its plan, this enterprize needs, and—we trust, we may add—which from its successful commencement, its character, and its objects, it merits. We would present you with the institution. Is it worthy of your acceptance? you will not reject it. No: we are confident you will cordially receive, cherish and nourish it with true christian liberality. Judge ye, yourselves, whether it has received an adequate support. We would not complain; we are sensible that men before they give their money to any object of benevolence, desire some fair pledge that it will be well applied; and the claim is reasonable. Our acts during ten months are before the public. The city of Albany, you perceive, has contributed nearly six times the amount that has been contributed by the whole state besides.

For the *spirit* of the society we refer you to its publications, to extracts from those of other societies which are our models, and to the letters addressed to us by persons who are among the most ardent friends of tracts. These will all be seen in *The New-York Tract Magazine*. We trust the society is *above* all *party* feeling; and that we honestly intend, and shall sedulously endeavor, to keep it as *free from Sectarianism as the Bible is.*

The London Religious Tract Society issued 10,012,700 tracts during their last year, and have issued, in all, 60,000,000 in twenty-five years. What should we say, were we to hear of *ten millions* of the pestiferous tracts of infidelity being issued in a year

by the German and French Illuminati? Should we not say, that all the existing barriers against vice would speedily be broken down; all the fountains of social life be undermined; all the fountains of domestic peace, security and happiness poisoned? and why should not the opposite effects be produced by publications of an opposite character? Will it be answered—men imbibe evil much more eagerly than good? It is true but is that a reason for neglecting to circulate religious tracts? May we not, then, also appeal to every patriot, every friend of morality, of social order, and of humanity, to come forward and support us liberally, in the great and arduous enterprize in which we have embarked?

SAM'L. M. HOPKINS,
W. A. TWEED DALE,
JOHN WILLARD,
} *Executive Committee.*

We unite in the foregoing

LEWIS LEONARD,
HENRY R. WEED,
JOHN LUDLOW,
} *Counsellors.*

(E.)

SCHOOL OFFICERS OF LEBANON TO MR. YATES.

Sir,

Much time has elapsed since the reception of your Circular, requiring school celebrations. Your request that you might receive an answer within thirty days, we are sensible has not been complied with. Various reasons for non-compliance might be rendered; but suffice it to say, your Circular has been the occasion of much disturbance in this town. The people are generally opposed to celebrations. The measure is disapproved on many accounts, but the principal one appears to be, the encouragement in that Circular to adopting the use of religious tracts. The inhabitants of this town, Sir, appear to be determined to maintain their rights, and not to submit to the least intrusion, either directly or indirectly, upon their civil or religious privileges. Several meetings have been holden upon the occasion, and some division in the sentiments of our citizens appears. In regard to conveniences for Celebrations, we have no excuse to make. We have two meeting-houses, either of which is sufficiently capacious to accommodate the people who would naturally attend a celebration. Our roads we consider commodious. Indeed, Sir, we have no excuse, except it be, *we will not comply*—that is we know the *people* will not comply. The measure has some friends.

We desire, Sir, that you have the goodness to answer the following inquiries.

1st. Does the Common School Act invest the acting Superintendent with discretionary powers to require Common School Celebrations?

2d. Was it the intention of the acting Superintendent, when his Instructions were issued, that they should be obligatory?

3d. In case of non-compliance, (provided they are considered obligatory) shall the people of this town suffer in consequence of such non compliance?

4th. Is the substance contained in the *tract*, entitled "The Pensioner and his daughter Jane" (which it appears your honor has been pleased to circulate) founded in fact?

We are with due respect,

Your most obedient servants,

EPHRAIM GRAY,
SILAS SEYMOUR,
FRANCIS WHITMORE,
} Commissioners of Common Schools.

SAMUEL COLLISTER, an inspector of Common Schools.

JOSIAH OWEN, Town Clerk of Lebanon.

Lebanon, Madison County, January 10th 1825.

Hon. J. V. N. Yates, Sec'y of State, and acting Superintendent of Common Schools.

(F.)

[Mr. Yate's first answer to the original of the preceding letter, which had been transmitted (with date of December 21, 1824) by Ephraim Gray, Esq a School Commissioner, and Doct. Samuel Collister, a School Inspector.—*Note*—The answer was inscribed upon the rejected letter.]

ANSWER.

Out of nearly 200 answers to the Circulars addressed to the different towns recommending school celebrations, the above is only the *third* letter which disapproves the recommendation. I regret that my Circular has been misunderstood by you, while I rejoice that so *very few* of the answers received are in the style of this letter.

1st. I never did recommend *Religious* nor any *Sectarian* tracts I recommended moral tracts "Judiciously selected."

Although I do not think either *the style* or the *matter* of your communication entitled to the highest consideration, yet I am free to answer any Enquiries frankly and fairly put to me—I have some reason to believe that your letter does not express the sentiments of the majority of your town, and as your letter does not profess to be *official* but is rather *semi-official*, you will excuse me for the present, from giving any *official* answer to your Enquiries. Your letter is returned, until I shall hear from your town in a manner *fully official*.

J. V. N. YATES.

Albany, December 26 1826.
Ephraim Gray & Samuel Collister, Esqrs. Lebanon.

(G.)

MR. YATES TO THE SCHOOL OFFICERS OF LEBANON, [or his second answer to the letter marked E.]

STATE OF NEW-YORK,
SECRETARY'S OFFICE,
Albany, January 17, 1825.

GENTLEMEN,

To your first question, "Does the Common School Act invest the acting Superintendent of Common Schools with *discretionary powers* to require common school celebrations"—

I answer *yes*, according to my judgment.

To your second question, "Was it the intention of the acting Superintendent, when his Instructions to adopt school celebrations were issued, that they should be obligatory"—

I answer *yes*, in all cases where suitable accommodations for the purpose existed in the town.

To your third question, "In case of non-compliance (provided they are considered obligatory) shall the people of this town suffer in consequence of such non-compliance"—

I answer, that each case of neglect or refusal will depend upon its own circumstances, and it will be time enough to decide upon them as they occur.

To the 4th question, "Is the substance contained in the tract, entitled "The Pensioner and his daughter Jane," founded in fact"—

I answer that having looked only at the *moral* tendency of that tract, I have not enquired whether it was founded in fact or not. If you should deem that point important, it shall be ascertained and communicated to you. You ought however distinctly to understand, that the Commissioners and Inspectors of each town are left entirely to their own judgment and discretion whether they will use tracts, books, premiums or certificates of scholarship at celebrations or not.—In that I do not pretend, authoritatively to interfere. I did suppose, that "a *judicious* selection of *moral* tracts" would be a cheap and useful mode of rewarding merit.—If you think otherwise, you will of course, adopt the method which appears best in your judgment—my great and leading

object was to place our Common Schools on the same footing as nearly as might be with Academies and Colleges. Those institutions have flourished in the prosecution of the like plan in principle which is adopted in my circular—and I have yet to learn that its results will not be as favorable in our Common Schools.

Your most obed'nt Serv't.

J. V. N. YATES,

Acting Superintendent of Common Schools.

Messrs. Gray, Seymour, Whitmore, Collister and Owen.

REPORT

Of the Committee on Literature, on the petition of Inhabitants of Lebanon.

IN SENATE, MARCH 19, 1825.

Mr. Spencer, from the committee on literature,* to whom was referred the petition of sundry inhabitants of the town of Lebanon, in the county of Madison, together with an appendix thereto, and a communication from the acting superintendent of common schools,

REPORT—

That among a great deal of irrelevant matter contained in the petition and appendix, and some of which is not expressed in the most becoming language, there are some specific charges which have received the consideration of the committee, and upon which the acting superintendent has been fully heard.† The first and most important subject of complaint is,

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* The Committee consisted of the Hon. Messrs. J. C. Spencer, S. Wright and J. Earll.

† His most specious palliation was (in the postscript of a letter on the memorial to the President of the Senate) that "the N. York State Tract Society is composed, not of *one* but *many* religious denominations, and that their sole object is dissemination of tracts having a *moral* tendency"—and he added, "I surely could never be led to believe that it were possible for men of that description, differing with one another on sectional principles, that they could unite in inculcating *any one sectional doctrine*."

Their quibbling use of the word "*moral*" has already been sufficiently answered, and this wonderful UNION of discordant religions *for the good of the people*, not only at Albany but in the National Tract Society at New York, is amply illustrated by the self-styled "*holy*" combination of monarchs and their princely satellites in Europe. The tenets of *their* religions too are widely different, yet what friend of liberty believes, that the guiding principle in the *union* of those crowned heads is either *morality* or *the people's good*? The significant motto given in capitals in one of the first numbers of the *New York Tract Magazine*, that "UNION IS POWER," speaks volumes upon this subject. Somewhat still more is shewn by a Circular, lately issued by a Presbyterian synod at Troy, on the subject of sabbath breaking, in which "to reform" as they express it "*the lawless manners of the nation*" they propose to establish systematically, "1. faithful discipline in *all* the churches of the American Israel—and 2. *efficient legislation* in all the branches of our civil government: or" (they add) "to express them together, there *must be one great* UNITED NATIONAL *effort*" !!

But the plans of this *holy alliance in America* are, if possible, more fully disclosed in an anonymous Circular, issued within a few months, from Albany or New-York, penned by a man of no common talents, and addressed "*To the Friends of Religion and*

the right exercised by the superintendent, of recommending books, not strictly school books, to be used in common schools, and the petitioners complain particularly of his having so recommended a particular tract. The acting superintendent supposes this power is given him by the 38th section of the "act for the support of common schools," passed April 12, 1819, by which it is made the duty of that officer to cause to be printed published and distributed among the inhabitants in this state, eight thousand copies of the said act, "and such instructions as shall be thought necessary and proper, for the better goverment and organization of common schools," thus inferring the right to give such instructions. Without stopping to inquire whether that implied power was not entirely spent, when the instructions then prepared were printed and distributed, the committee cannot perceive in the words quoted, any authority whatever, to recommend or direct the use of any particular books in common schools.

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good government," with a note, requesting the limitation of the Circular "*to such as have similar views.*" In this Circular, which has already been noticed by several Editors, the writer, after bestowing eulogiums upon Theological Seminaries, Bible, Missionary and Tract Societies, and particularly the establishment of a *National* Tract Society at New York, lays down the principles—that "By enlisting *numerical force* in the cause of Religion, all the opposition of infidelity will be *borne down and overpowered*"—that "that may be considered orthodox, *which has the most adherents*, who are made so by birth, education or accident"*—that "as sure as there is a tendency and gravitation in natural or physical bodies towards each other, so sure, in the moral and religious world, will the *lesser bodies or sects be attracted to the largest*"—and that ☞"The business of Government ought, as much as possible, and may be practicable, to produce *unanimity* and concord, both in our civil and *religious* institutions." He very sagely observes, that "the child generally inherits the religion of its parent, and *can easily be moulded*, according to circumstances, *into almost any, and if necessary*, into *a National form*."† After giving his friends to understand, that he is no Episcopalian, while he holds up the fine example of an Established Religion in England as a model of imitation for this Republic, he then proposes to "make the *prevailing religion* of the state *National* in its form, tendency and operation." This Circular develops the grand outline of the plot, by suggesting in circuitous language, the *union* of the "PRESBYTERIANS, Episcopalians, Baptists, Methodists, &c."‡ in the formation of "a wise *National Creed*." But the gist of the whole argument is found in the exultation that "the Clerical robe is becoming less and less the theme of scoffers, and more and more a *proud* and honorable badge to him, who, for his theological attainments is entitled to it"—in the mystical intimation that these privileged patrons of holiness "should be distinguished by a more *national costume*,‖ which would be solemn and imposing, and such as *would secure to the sacerdotal character, that reverence which is due to it*"—and finally, in the anticipation of ☞"securing from Congress an appropriation of a portion of the public lands, *to a limited, and yet sufficient number of the Clergy*, and for a well defined course of Education."

To the views and language here abstracted, which will be rendered more striking and explicit by a perusal of the Circular itself, we add no more.—The heart of every freeman will furnish its own comments.

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* As for instance, *the Presbyterians* in this State, who are evidently meant; and all those who are unwilling to bow the knee to their Synods, and unite in their plans, must of course be "*the opposition of infidelity.*" But softly—is this doctrine, that the truth of a creed is to be measured by *numbers*, to be found in the Bible?—Indeed, some of the most zealous for Bible Societies have frequently nothing to do with the *Bible*, but to traffic with it, ride it as a hobby, or give it to *the heathen.*

† It may well be asked, is not this the leading object of Sabbath School managers,—to *mould* the rising generation to their "*national* purposes?

‡ This is a fair sample of "*the lesser bodies or sects*" to be "*attracted to,*" or (duped by) "*the largest.*"

‖ Whether the *wig, mitre, cowl* or *cocked hat*, we are not told.

The *organization* of common schools, certainly has nothing to do with books: nor can your committee perceive how the authority to prescribe rules for the better *government* of schools, implies the right to direct particular books or studies. It obviously relates to the defining the respective powers and duties of commissioners, inspectors, trustees and schoolmasters. If the legislature had intended to vest in the superintendent the very important power of prescribing the particular spelling-books, reading lessons, and books of arithmetic, to be used in the common schools of the state, by which a most vexatious and unnecessary expense would be frequently thrown upon parents, in compelling their children to abandon the books they already had for new ones, your committee conceive that such a power would have been distinctly given, in terms that could not admit of a doubt. This consideration would lead to a rigid construction of any law supposed to confer such a power, and appears decisive in the present case, when the words of the act can be fully satisfied, without giving to them such an extensive operation. If the superintendent has no power to prescribe the use of books, authoritatively, he has none to recommend them officially; for it is not pretended that there is any other part of the law giving such power, than that before quoted; and if that confers any power, it is absolutely to command. Although this practice was adopted by the former superintendent, and has been, with the best intentions, followed by the present incumbent, yet the committee cannot entertain a doubt, that there is no authority for it. And if they supposed there was any such authority, they would not hesitate to recommend its immediate repeal. Independent of the consideration of enormous expense, which it would produce, before mentioned, the direction of selecting books, would, in its nature, be very liable to abuse, and would afford a most fruitful subject of contention, dissatisfaction and difficulty. The authors of school books, who failed to obtain the recommendation of the superintendent, would be the last to submit, in silence, to his decision.—Town inspectors and commissioners, trustees of school districts, and parents who send their children to school, have their favorite authors and systems, which, it is well known, are not easily surrendered. These sources of contention would be augmented, if the discretion of the superintendent were extended to books partaking, in the least, of a religious character; for no such book, excepting the bible, could be recommended, without affording to the jealous and watchful eyes of the different denominations, subjects of criticism, cavil and complaint. If any proof of this should be required, it will be found in the very petition referred to your committee. The tract recommended by the acting superintendent, called *The Pensioner*, is, perhaps, as inoffensive as any such work can well be written: and yet the excitement it has produced, is by no means confined to the petitioners. And while the committee entertain no doubt of the pure and benevolent intentions of the gentlemen associated to publish that and similar tracts, and of the upright and laudable intentions of the superintendent, in giving, them an official recommendation, and a currency through his office, yet they are persuaded, that the very attempt to convert the common schools into channels for their circulation and distribu-

tion, will excite so much hostility, and so much apprehension of encroachment upon religious tenets, that it will defeat the very object; and your committee are far from reprehending this watchfulness and jealousy of religious influence. The effects of bigotry and intolerance, in other countries teach us to appreciate our own inestimable liberty of conscience, and to watch and resist the very first steps which may lead to such consequences among ourselves.

Your committee have entered into this train of reflections, in order to exhibit a full view of the dangers to be apprehended from the exercise of the power of recommending books among them. the most serious is, the great probability that it would produce so much dissatisfaction and contention, as to break up the whole system of common school education. And in this view of it, they feel bound to express their hope, that as the Superintendent has no authority to prescribe books to be used in common schools, and of course none to recommend such books officially, he will abstain from giving such recommendations individually; for the obvious reason, that there are few who will make the distinction between an official and an individual act; and the consequences resulting from either would not be materially different.

Another subject of complaint is, that the superintendent has directed annual celebrations of a number of schools in the same vicinity, and has given instructions to clerks of towns & school districts, in relation to them. The power to do this is claimed under the words of the 33th section before quoted. Although the committee can perceive no great evil likely to result from these celebrations, but on the contrary, some benefit may be derived from them, yet they cannot find, in the language of the law, any authority for directing them. They certainly do not come within either of the terms "the organization and government of common schools," for which only the superintendent is authorised to issue instructions.— Still less does that language sanction any authoritative directions to town clerks and district clerks, on that or any other subject within their official duties. These celebrations, and the manner of conducting them, must be left to the patriotism and intelligence of the officers who have the more immediate charge of common schools.

It appears to the committee, that in one instance where the trustee of a school district had written an improper letter to the superintendent, that officer forbade the paying over of any public money to him, as such trustee, and by that means compelled him to resign his office. It is due to the acting superintendent to state, that upon reflection he does not himself justify this act by any law. It is scarcely necessary to say that it was wholly unauthorised.

In concluding their report upon a subject which has afforded them no pleasure, the committee cannot forbear to commend the vigilance, fidelity, industry and ability displayed by the acting superintendent, in the discharge of the complicated and multifarious duties of his station. And believing that the errors which have been pointed out, are mistakes of judgment, into many of which he was led by the example of his predecessor, the committee are unanimously of opinion, that the prayer of the petition-

ers for his removal from office ought not to be granted. And as they believe the existing laws do not authorise the acts complained of, they do not perceive the necessity of recommending the passage of any law on the subject. They therefore ask to be discharged from the further consideration of the petitions and communications referred to them.

As a supplement to these documents we may here note, that confessedly in continuation of the projects of the New-York State Tract Society, the New York State Branch of the American Tract Society, finding their use of the grand tool, Mr. Secretary Yates, somewhat deranged, have lately distributed by mail a fourth Circular, dated "Albany 1st Dec. 1825," signed by their Executive Committee, & addressed "To the commissioners of Common Schools." With this they send a "CATALOGUE of nearly 200 Children's Books" [tracts of all sizes] "published by the American Sabbath School Union and the New-York Religious Tract Society, and also of the tracts published by the American Tract Society, New-York, and by the New-York State Tract Society Albany,"—and with no small art in smothering the circumstance of their defeat and chagrin, again press their tracts and celebration parades upon the patronage of our school officers: but unlike the *seeming liberality* with which they commenced, (in the distribution of "the Pensioner") they propose, with a limping apology for their parsimony in saving postage, to convert at once "the members of the legislature" (*nolentes volentes*, pliant souls,) into *gratuitous postriders* for the Tract Society,—and sagaciously observe in pointed letters, that "If every school in the state should procure to the value of ONE DOLLAR of these books, and distribute them as rewards at a school celebration, they would not fail of promoting a taste for useful reading, and of producing a *powerful* moral *influence*."*

The nature and tendency of this "*influence*" we have already shewn, & what we might further expect when once the eyes of our youth are taught to gaze intently upon these insidious works as *substitutes for the bible* and the "*messengers of salvation*" (as they have sometimes been styled) we may readily judge from the fact, that the American, *alias* the National Tract Society which now besets our schools, has recently awarded a PREMIUM OF FIFTY DOLLARS for the best Tract "On the duty of professors of religion, and especially those who have wealth, to CONSECRATE THEIR PROPERTY to the spread of the gospel."—or in other words, to blindly strip their families and their creditors, mortgage

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* See their Circular. The following is their form of a "*Weekly report*, which" (they say) "should be sent to the parents of *all* scholars whether entitled to tokens [of credit] or not," to be produced in public at the annual celebration;—thus prepared to serve at once the double purpose of a *pioneer* to make way and ready sale for their tracts, and a *terrific rod* of official scorn to beat down the noble spirit of every youth, who may have discernment and independence enough to treat their hypocritical intrusions with merited contempt.

"Weekly Report—2 Tokens, redeemable in Books (viz. tracts) at the annual Celebration. This certifies that E——F——stands on the Class Lists this week, first in Geography, in writing, in spelling in reading, and in cyphering: entitling him, after deducting FINES FOR MISCONDUCT, to credit for two tokens."

"N. Y. Teacher."

and bequeath estates for what their leaders call *pious purposes*, and pour cash by thousands into the capacious and expanding pockets of the dominant clergy.

The enormous "POWER" too, which they anticipate, can scarcely be conceived, but by a reference to the similar insidious progress and colossal strides of the Jesuits previous to their suppression, which merely changed the mingled current of church and state, but never purified the poisoned stream. We content ourselves with a few extracts from their history.

"They [the Jesuits] adopted the same spirit of accommodation in their missionary undertakings; and their Christianity, camelion-like, readily assumed the colour of every region where it happened to be introduced. They freely permitted their converts to retain a full proportion of the old superstitions, and suppressed without hesitation any point in the new faith which was likely to bear hard on their prejudices or propensities." * * *

"The professed intention of their new order was, to promote with unequalled and unfettered zeal, the salvation of mankind. Its progress, nevertheless, was at first remarkably slow." * * * "They applied themselves to every useful function and curious art; and neither neglected nor despised any mode, however humble, of gaining employment or reputation." * * * * "They labored with the greatest assiduity to qualify themselves as the *instructors of youth*; and succeeded at length in supplanting their opponents in every Catholic kingdom." * * * "When Loyola, in 1540, petitioned the Pope to authorize the institution of the Jesuits, he had only ten disciples; but in 1608, the number amounted to 10,581. Before the expiration of the sixteenth century, they had obtained the chief direction of the *education of youth* in every Catholic county in Europe, and had become the confessors of almost all its noblest monarchs. They thus *formed the minds of men in their youth*, and retained the ascendency over them in their advanced years. They took part in every public measure, and possessed at different periods the direction of the principal courts in Europe." * * * "In 1710, they possessed 24 professed houses, 59 houses of probation, 340 residences, 612 COLLEGES, 200 MISSIONS, 150 SEMINARIES, and 19,998 members,"*—and we may add, a wealth unrivalled and unexampled, and a POWER that encircled the civilized world with its chains.

* See Edinburgh Encyclopædia, Volume XI. pages 167—169.

CONCLUDING REMARKS.

To liberal minds, our cause needs no apology; but the *length* of our discussions may require us to observe, that the subject is far from being exhausted. That the close connection between the immediate cause of our complaint, and the various parts of the range we have taken, should have escaped the notice of the committee on literature, is not to be wondered at, when we consider the crowd of business before the legislature at its last session, and the very limited time which was left them, to canvass all the bearings upon the interests of the people, of so extensive a subject as the intrigues of the cloister. As to our language, "*some* of which," the committee cautiously observe, "is not the *most* becoming," it may speak for itself; it may show, that while we treated the legislature with unmingled respect, we were not very careful to render "honor to whom honor" was *not* due. We leave it with an unbiassed public to decide, whether, as a portion of the insulted citizens of a free state, we have exceeded the limits of either justice, temperance or propriety.

But though the committee have touched but hastily and lightly upon the most important division of our subject;—though they have admitted purity of motives to the offending officer and his managers; (which by the way is a mere compliment, addressed to his lack of judgment and the sanctity of their professions)—though watched by the jaundiced eyes of bigotry in the very halls of legislation, their intelligence and patriotism have not left us without a decision. Our charges are sustained and our well founded jealousy sanctioned and commended. They have, though by a movement so gentle as to be almost unperceived, dashed the poisoned chalice from the lips of the people—they have eluded the approaches of these *self-styled fathers* of our children, and have defeated the most insidious scheme that ever was devised to undermine the freedom of the State. Though, through policy or compassion, they have spared the Superintendent, they have stripped him of his canonical authority; and their wholesome admonitions both to him and his clerical friends will long be remembered, "while memory holds a seat" among the virtuous and the free.

We have said, that our subject was far from being exhausted. This might be tested by a multitude of facts yet in store; but we forbear, while we pause to notice a train of corresponding movements which appeared at the Capitol last winter, and which fully shews, that the Tract Society were not alone in their experiments upon the constitution, as if to try its strength, and to see how far the union of church and state might be effected, without exciting public suspicions. We allude in part to the grand concert of petitions poured into the house of assembly by the Rev. ex-president Fitch of Ontario, the Onondaga Presbytery and the dominant clergy and their adherents in other parts of the state, for compelling

the observance of the Christian Sabbath, by closing the canal locks, prohibiting the passage of steam boats, &c. on that day—which petitions were referred to a committee of which Mr. Finn of Orange was chairman. We have seen "the fear of the" clergy "before *his* eyes,"—his vain attempt to shuffle off the responsibility of displeasing his reverend friends, upon the Canal Commissioners—their judicious silence upon the subject—and his tampering, evasive report upon the same subject, (viz. that of closing the canal locks upon the Sabbath) in which, without saying a word upon the constitutional objection to the petitions, he bows to the petitioners with this concession—"The committee consider the *due observance of the Sabbath* and the *precepts of Christianity* as of vast importance to the *preservation of civil order.*"—Why then, we ask, not grant the petitions? The principle reason which he assigns for refusing them, is but a poor excuse for his practice, since he has assumed the propriety of mingling the christian faith with legislative acts. It is literally "doing evil that good may come." The main argument is in substance, that it would be the occasion of more wickedness and immorality to detain the boats than to let them pass.

This position may be correct—but is that a constitutional reason for rejecting the clerical petitions?—is that a reason for a statesman to give? No—Had the committee not been hoodwinked—had they duly appreciated the Charter of our rights, they would have said, 'while we remain a free state, your request can never be granted:—it is inconsistent with the constitution and with rational liberty, to establish one class of religious worshippers above another, or to make a law which shall compel the observance of any article of the Christian faith in preference to a conflicting article of the Mahometan, Jewish or any other creed.' With such views, the point would have been settled at once, without the formality of calling upon the Canal Commissioners for information respecting the "*consequences*" of closing the canal locks upon the Sabbath.

This report exhibits indeed, the majesty of our constitution—its powerful control even upon the minds of bigots; that, in the very act of evading the spirit and meaning of that instrument, they should be constrained most unwillingly to obey the letter.

We have been more free in our remarks upon this ambiguous report of Mr. Finn, because we have found this very man, in a most decided shape, the author of a bill before the house, which "authorizes justices of the peace to issue subpœnas, requiring the attendance of witnesses, before a consistory or any other church authority, when charges are made against a member of a church, for which he is to be tried by such authority."

Who is there so blind as not to see the character (if not direct intention) of this bill? What is it but to invest the clergy with the pontifical robe and mitre by an act of state—to give an air of dignity and an usage of power to their ecclesiastical tribunals—to legalize their slanders and oppression—to enable them to compel and pervert evidence, and to draw up and utter libels with impunity, in the very face of our constitu-

tion and laws. In fine, to countenance and give power to a tribunal, even the establishment of which the constitution prohibits.

These glaring invasions of the Constitution should be known and remembered by every citizen of the state, who is worthy of the freedom he inherits.

Let not the tongue of slander or bigoted invective against the memorialists personally, conceal for a moment, the evils they expose. Their acquaintances can fully refute any invidious comparisons of them with their fellow citizens of other towns, in their honor, morality or religious professions and character; and to those unacquainted with them, we may add,—let the memorials be examined with patience and impartiality, and we are confident that nothing will be found in them prejudicial to any religion which does not mingle the views of civil government with its faith. We are well aware, that in this country as in others, there are ambitious men, who are unwilling to stand before the public for promotion, unanointed by the powerful hands of clerical support—who think or pretend to think, that the wheels of government and good order can not move together, without the guiding and controlling influence of the clergy, and that no danger can arise to community from increasing that influence to an unlimited extent. With such spirits we have no communion.

It remains for us here to give our views upon a question, which has been repeatedly put, amidst the confusions of party—'What is the criterion for a REPUBLICAN?'—Where is the political pole star that will guide us safely through the mists of conflicting interests and opinions? We answer, that in the beautiful gradation of rights, with which it has pleased a merciful and beneficent Providence to invest us as a community of citizens, we consider with the enlightened Coxe, that RELIGIOUS FREEDOM IS THE BASIS of all our civil blessings. Of course, we shall begin to define a *Republican* by saying, that he is opposed to every species of religious establishment, by legislative, executive or judicial authority, and to all that machinery of ambition and policy, which tends to invest any body or set of men with larges accumulations of power and wealth under religious pretences. He is the citizen, who never makes professions of *sanctity* essential to the preservation of "*civil order*," or in other words, who never makes *piety* a passport to *office*;—whose views of civil government, from the lowest to the highest—from the simple act of suffrage to the most complicated exercise of official influence or authority, are never extended to the religious faith of others.

We might finish the description by adding, that his own interest will never be suffered to rise paramount to the rights of the people or the good of community. The picture is too perfect for nature;—the greatest patriot is liable to err: but the experience of ages forces us to remark, that those who err in political views or conduct through *religious pride or ambition*, are, of all others, the most irreclaimable. The bigot sees the blessings of *heaven* made only for him and his friends, and he proudly wishes to confine the blessings of *earth* to the same subjects;—his notions of self consequence make him aristocratic in his very nature.

If perchance, he gets into the chair of authority, you may approach him with a history of invaded rights—with the voice of reason and of truth—& he takes the immediate alarm for the *dignity of his office* or the *sanctity of his person*; his ears will contract with his mind, and he will spurn you from his presence, unheard & unredressed. It is refreshing however to think, that against the elevation of such men there is a remedy: the strong sceptre of suffrage is yet in the hands of the people, and if they expect to maintain it and their precious constitutions, it must be wielded with an intelligent scrutiny into the various views of their candidates, and this scrutiny must commence with a rational, vigilant and well directed jealousy for their RELIGIOUS RIGHTS.